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HEARINGS REGARDING HANNS EISLER

HEARINGS

BEFORE THE

COMMITTEE ON UN-AMERICAN ACTIVITIES

HOUSE OF REPRESENTATIVES

EIGHTIETH CONGRESS

FIRST SESSION

Public Law 601

(Section 121, Subsection Q (2))

SEPTEMBER 24, 25, AND 26, 1947

Printed for the use of the Committee on Un-American Activities



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1947

93354920
U. S. SUPERINTENDENT OF DOCUMENTS

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CONTENTS

September 24, 1947:	
Testimony of—	Page
Hanns Eisler.....	1
Joseph Savoretti.....	50
Sumner Welles.....	62
Hanns Eisler (resumed).....	54
September 25, 1947:	
Testimony of—	
Joseph Savoretti (accompanied by Clarence R. Porter).....	75
Donald T. Appell.....	78
George S. Messersmith.....	91
September 26, 1947:	
Testimony of—	
P. C. Hutton.....	151
Joseph Savoretti (resumed).....	168
Clarence R. Porter (resumed).....	180
Appendix:	
Exhibits 1-122.....	189
Translation of Die Massnahme.....	193

HEARINGS REGARDING HANNS EISLER

WEDNESDAY, SEPTEMBER 24, 1947

HOUSE OF REPRESENTATIVES,
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

The committee met at 10:30 a. m., Hon. J. Parnell Thomas (chairman) presiding.

The CHAIRMAN. The committee will come to order.

Will the record show that a subcommittee is sitting, consisting of Mr. McDowell, Mr. Wood, Mr. Rankin, and Mr. Thomas.

Staff members present are Mr. Robert E. Stripling, chief investigator, and Mr. Louis J. Russell and Mr. Donald T. Appell, investigators.

Mr. Stripling, will you ascertain as to whether all the witnesses are here, please?

Mr. STRIPLING. Yes, Mr. Chairman.

Is Mr. Sumner Welles here?

(Mr. Welles rises.)

Mr. STRIPLING. Mr. Messersmith?

(Mr. Messersmith rises.)

Mr. STRIPLING. Mr. Savoretti?

(Mr. Savoretti rises.)

Mr. STRIPLING. Mr. Porter?

(Mr. Porter rises.)

Mr. STRIPLING. Mr. Hutton?

(No response.)

Mr. STRIPLING. Mr. P. C. Hutton?

(No response.)

Mr. STRIPLING. Mr. Eisler?

Mr. EISLER. Yes.

Mr. STRIPLING. Mr. Chairman, all witnesses appear to be here except Mr. Hutton. I suppose that he will be here shortly. He is in town.

I request that all witnesses be asked to remain and hear the testimony of the other witnesses as they will be questioned during the process of the hearing.

The CHAIRMAN. The Chair would like to say to the witnesses: Will you please stay here during the testimony of all witnesses, because matters will come up at different times that it is important you hear?

Mr. Stripling, will you bring the first witness?

Mr. STRIPLING. The first witness is Hanns Eisler. Mr. Eisler.

The CHAIRMAN. Mr. Eisler, will you stand, please, raise your right hand, and be sworn?

Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. EISLER. I do.

The CHAIRMAN. Sit down.

TESTIMONY OF HANNS EISLER

Mr. STRIPLING. Mr. Eisler, are you accompanied by counsel?

Mr. EISLER. Yes, sir.

Mr. STRIPLING. You desire counsel?

Mr. EISLER. I desire counsel.

Mr. STRIPLING. Would you identify your counsel?

Mr. EISLER. Yes. Mr. Greenberg and Mr. Forer.

Mr. STRIPLING. Will you give your full name for the record, please, and your address?

Mr. GREENBERG. Herman A. Greenberg—G-r-e-e-n-b-e-r-g—and Joseph Forer—F-o-r-e-r—both of 1105 K Street NW., Washington.

Mr. STRIPLING. You are Mr. Forer?

Mr. FORER. That is right.

Mr. STRIPLING. Mr. Greenberg?

Mr. GREENBERG. That is right, Mr. Stripling.

Mr. Chairman—

The CHAIRMAN. Just a minute.

Mr. GREENBERG. I beg your pardon, sir.

Mr. STRIPLING. Mr. Eisler.

Mr. EISLER. Yes.

Mr. STRIPLING. Do you have any requests which you would like to make to the committee?

Mr. EISLER. Yes. I would desire that my counsel make it.

Mr. STRIPLING. You desire to make them through counsel?

Mr. EISLER. Yes.

Mr. RANKIN. Mr. Chairman.

The CHAIRMAN. Just a minute, Mr. Rankin.

Mr. STRIPLING. Mr. Chairman, yesterday when Mr. Eisler appeared in response to a subpoena which had been served upon him on July 12, I believe it was, he made certain requests to the subcommittee, which received it. He asks now that his counsel be permitted to make these requests to the committee.

The CHAIRMAN. Well, first of all, is there any objection on the part of any member of the committee that Mr. Eisler be permitted counsel?

Mr. RANKIN. Mr. Chairman, I think the investigation should be conducted by the investigators, without outside interference.

The CHAIRMAN. The investigation will be conducted by the investigators, and there will be no outside interference, I can assure you of that.

Is there any objection that Mr. Eisler be permitted counsel?

(No response.)

The CHAIRMAN. Then, Mr. Eisler, you will be permitted counsel.

Now, for the record, will you identify both of these counsel? You have identified one, but have not identified the other.

Mr. STRIPLING. Mr. Greenberg gave the name.

Mr. EISLER. Mr. Herman Greenberg and Mr. Forer.

Mr. STRIPLING. Will you state your name, please?

Mr. FORER. Mr. Joseph Forer.

Mr. STRIPLING. Joseph Forer.

Mr. FORER. F-o-r-e-r; that is right; 1105 K Street, Washington.

Mr. STRIPLING. Mr. Eisler, you are here before the committee in response to a subpoena served upon you on July 12 at your home—no;

I believe the subpoena was served at 5488 Rodeo Road, in Los Angeles; is that correct?

Mr. EISLER. Yes.

Mr. STRIPLING. You appeared yesterday in response to that subpoena?

Mr. EISLER. Yes—the new subpoena.

Mr. STRIPLING. At which time you were served with a new subpoena?

Mr. EISLER. Yes, sir.

Mr. STRIPLING. Calling for your appearance today at 10:30?

Mr. EISLER. Yes.

Mr. STRIPLING. And you are here in response to that subpoena?

Mr. EISLER. Yes.

Mr. Chairman, may I ask permission for my counsel to make a remark?

Mr. RANKIN. Mr. Chairman, on that I am going to object. If he wants to ask his counsel for advice, that is all right, but we don't want any counsel testifying who has not been sworn.

The CHAIRMAN. Mr. Eisler, it has been the custom of this committee to permit witnesses to have counsel, but the counsel can only advise the witness as to his constitutional rights.

Mr. EISLER. Yes.

The CHAIRMAN. And on no other question. Therefore, I want to say to the counsel that you will be permitted to stay there and advise the witness on his constitutional rights. You cannot, however, go beyond that. And if you do go beyond it, then the Chair will have to ask you to leave the witness table.

Mr. GREENBERG. We understand that, sir. These are merely on procedural points. And I would like the opportunity to repeat the requests that were made to the subcommittee yesterday. They are not——

The CHAIRMAN. Mr. Eisler will be given the opportunity to make that request.

Mr. GREENBERG. In other words, counsel is denied the privilege here of making the request?

The CHAIRMAN. Counsel is not denied any privilege here. But the counsel can only advise the witness as to his constitutional rights. Beyond that, the counsel can say nothing.

Now, Mr. Eisler, if you have anything you want to say——

Mr. GREENBERG. I take it, sir——

The CHAIRMAN. That is enough for you.

Mr. GREENBERG. Thank you.

Mr. EISLER. I wish to repeat the requests made by my counsel yesterday as to several procedural matters.

First, I ask that my hearing be adjourned until the same date as the hearing of the other witnesses of the motion-picture industry. The committee has stated that it would adjourn the hearings for the industry because it was necessary to have a full committee. There is no reason to separate me from the rest of the industry. I should be given the same treatment and privileges which you will give to other witnesses you call from Hollywood.

Second, I request the right for my counsel to cross-examine any witnesses who may testify about me. For a long time now this committee

has smeared me and done everything possible to prevent me from earning a living. I think I am now entitled to the elementary protection of the cross-examination of witnesses. Should the committee deny me this basic privilege I request permission to submit questions to the chairman to put to the witnesses. This privilege was recently granted to Mr. Howard Hughes, and the late Mr. Wendell Willkie propounded questions to the chairman of this committee for interrogation of witnesses.

MR. STRIPLING. Mr. Chairman, on the first point which Mr. Eisler raises, I submit that this hearing is on an entirely different subject matter than the Hollywood hearing. This hearing has to do entirely with the activity of Mr. Eisler.

As to the question of the cross-examination, it has never been the policy of this committee, and in very few cases any committee in the history of the Congress, to permit cross-examination.

The CHAIRMAN. Anything more you care to say?

MR. STRIPLING. Does the Chair wish to rule on those two points?

The CHAIRMAN. Yes. It is the unanimous consent of the committee that the answer is "No" on both 1 and 2.

MR. STRIPLING. The third point, Mr. Chairman, was whether or not he can submit questions to the committee to be asked other witnesses, questions which would serve as a cross-examination?

The CHAIRMAN. The answer is "No" on No. 3.

MR. EISLER. Then, Mr. Chairman, may I ask the permission to read a statement?

The CHAIRMAN. Let me see your statement, please.

MR. EISLER. Will you be so kind.

(Statement handed to the chairman.)

The CHAIRMAN. Mr. Eisler, we have read this statement. The Chair is going to rule exactly the same in your case as it did in the case of your brother. We are taking this statement under advisement.

MR. EISLER. Pardon me?

The CHAIRMAN. We are taking the statement under advisement. The statement will not be read at this time.

MR. STRIPLING. proceed with the questions.

MR. EISLER. May I ask you, Mr. Greenberg—

MR. STRIPLING. Mr. Forer—

MR. GREENBERG. Just a moment.

MR. EISLER. May I ask my counsel a question?

MR. STRIPLING. Yes.

MR. EISLER. Excuse me [conferring with counsel]. Can I do anything about the fact I have not the right to read my statement?

(Counsel responds inaudibly.)

MR. EISLER. I object to not being allowed to read my statement, after all that I went through in the last year—

The CHAIRMAN. The objection is overruled.

Go ahead and proceed with your questions, Mr. Stripling.

MR. STRIPLING. Mr. Eisler, will you please state your full name?

MR. EISLER. Johannes Eisler—J-o-h-a-n-n-e-s E-i-s-l-e-r. I call myself Hanns—H-a-n-n-s—abbreviation of Johannes.

MR. STRIPLING. When and where were you born?

MR. EISLER. 6 July; Leipzig, Germany.

MR. STRIPLING. What year?

Mr. EISLER. 1898.

Mr. STRIPLING. What is your present address?

Mr. EISLER. My present address is 188 Malibu, Malibu, Pacific Palisades.

Mr. STRIPLING. You are a citizen of what country at the present time?

Mr. EISLER. I am in possession of first citizenship papers of the United States.

Mr. RANKIN. What is that answer, Mr. Chairman? I couldn't hear it.

Mr. EISLER. I possess first citizenship papers of the United States. I am not a citizen yet.

Mr. McDOWELL. Mr. Chairman, that doesn't answer the question.

The CHAIRMAN. I would like to suggest to the committee members that as far as possible we defer asking all questions until the chief investigator has proceeded further with his question.

Mr. STRIPLING. Mr. Eisler, of what country were you a citizen before you filed for citizenship papers of the United States?

Mr. EISLER. Austria.

Mr. STRIPLING. Austria?

Mr. EISLER. Yes.

Mr. STRIPLING. Do you have any relatives in the United States?

Mr. EISLER. Yes.

Mr. STRIPLING. Will you name them for the committee?

Mr. EISLER. Gerhart Eisler; Miss Ruth Fischer.

Mr. STRIPLING. What is your occupation?

Mr. EISLER. I am a composer.

Mr. STRIPLING. Musical composer?

Mr. EISLER. Musical composer—may I add, of international reputation.

Mr. STRIPLING. Of international reputation?

Mr. EISLER. Yes.

Mr. STRIPLING. In what institutions did you receive your musical education?

Mr. EISLER. In Vienna, at the academy. I am the pupil of the famous composer, Arnold Schoenberg, one of the greatest living masters of modern music.

Mr. STRIPLING. Mr. Chairman, the loud-speaker equipment doesn't seem to be working, and I am sure everybody is having a good bit of difficulty in hearing. Could I ask for a slight recess to see if it is possible to get the equipment working?

The CHAIRMAN. All right; we will recess until the call of the Chair. (Thereupon, a short recess was taken.)

The CHAIRMAN. All right; the meeting will come to order. Mr. Stripling.

Mr. STRIPLING. Mr. Chairman, I would like for the record to show that Mr. P. C. Hutton, of the State Department, has arrived and is in the hearing room. All witnesses are here.

Mr. Eisler, when did you leave Austria? And will you talk into the microphone, please, and address the committee.

Mr. EISLER. Yes. I left Austria, I think, in '24, and went to Berlin.

Mr. STRIPLING. How long did you remain in Berlin?

Mr. EISLER. Till 1933, February, when I have to flee Germany, after Hitler made Reichstag fire.

Mr. STRIPLING. You left Germany in '33?

Mr. EISLER. Yes.

Mr. STRIPLING. And where did you go?

Mr. EISLER. I went to Paris.

Mr. STRIPLING. How long did you remain in Paris?

Mr. EISLER. I was there at least from March, I think, until July.

Mr. STRIPLING. Of '33?

Mr. EISLER. Yes.

Mr. STRIPLING. What other European countries have you resided in?

Mr. EISLER. I lived for quite a time in London.

Mr. STRIPLING. During what period?

Mr. EISLER. I lived in London, February, I think—no; the fall of '34 until around February or March, so far as I remember—and went back to London—let me see—'36, February, and stayed the whole year in London.

Mr. STRIPLING. Were you ever in Denmark?

Mr. EISLER. Sure. I was quite often in Copenhagen. I spent my summer on a small island—Funen—in a little fishing village, to compose there.

Mr. STRIPLING. Were you ever in the Soviet Union, Mr. Eisler?

Mr. EISLER. Yes. I was also in the Soviet Union for short trips.

Mr. STRIPLING. How many times have you been in the Soviet Union?

Mr. EISLER. The last time I remember was '35; I must have been there at least in '32, '31.

Mr. STRIPLING. '31, '32, and '35?

Mr. EISLER. Possibly I was there once more, but I really cannot remember, you know.

Mr. STRIPLING. You remember three times?

Mr. EISLER. Three times; yes. It could have been '29 or so; I cannot recall that.

Mr. STRIPLING. Why did you go to the Soviet Union, Mr. Eisler?

Mr. EISLER. I made moving pictures there. "Youth Takes the Floor" is the title of the moving picture. That made two trips necessary.

Mr. STRIPLING. What years?

Mr. EISLER. That was '31 and '32, or '33; '35 they had some concerts there, some lectures there. The state publishing house prints a symphony of mine. I also had talks with this publishing house. I stayed 5 or 6 weeks, I would say.

Mr. STRIPLING. Were you ever employed by the Soviet Union in any capacity?

Mr. EISLER. No. I was, like many, many artists, a guest.

Mr. STRIPLING. Did you ever receive any money from the Soviet Government?

Mr. EISLER. No; naturally, I got my fee from the publishing house, as every author gets from every publishing house in the world.

Mr. STRIPLING. Did you ever receive any money from any individuals other than the publishing house you referred to?

Mr. EISLER. No.

Mr. STRIPLING. Mr. Eisler, when did you first come to the United States?

Mr. EISLER. I came first in the United States, to be exact, in '35, it must be April, the 2d of April, or the end of February, if I am not mistaken.

Mr. STRIPLING. How long did you remain?

Mr. EISLER. I made a lecture and concert trip. It must be $2\frac{1}{3}$ or 3 months. I was traveling under the auspices of the Lord Morley committee. Lord Morley is a member of the House of Lords. He had a kind of committee to help the children of refugees which were living in great hardship, even in camps, in France. He asked several artists. The late Scholer—he is dead now—a famous German writer, was here, too.

The CHAIRMAN. I think you have answered the question.

Mr. EISLER. Yes.

Mr. STRIPLING. Now, Mr. Eisler, do you remember your arrivals and departures in the United States? Could you give them to the committee?

Mr. EISLER. I do my best. I arrived, I think so, the end of February or the beginning of April.

Mr. STRIPLING. I suggest this, Mr. Eisler——

Mr. EISLER. Yes.

Mr. STRIPLING. Let me read your arrivals and departures.

Mr. EISLER. It would be wonderful.

Mr. STRIPLING. And if they are incorrect according to your recollection, you tell me.

Mr. EISLER. It is the best thing to do.

Mr. STRIPLING. According to the information before us, Mr. Chairman, which came from the official files of the Government, Mr. Eisler was first admitted to the United States as a temporary visitor in February of 1935. He arrived on the steamship *Berengaria* and was admitted for 3 months.

Is that correct?

Mr. EISLER. Correct, sir.

Mr. STRIPLING. Next, he arrived in the United States on October 4, 1935, on the steamship *Lafayette*, and was admitted as a visitor for 6 months.

Mr. EISLER. Correct.

Mr. STRIPLING. Now, Mr. Eisler, you arrived in February of 1935 on the *Berengaria*. The next arrival was on October 4, 1935. Where were you during the interim?

Mr. EISLER. In Paris—no; I guess I went on vacation to Denmark, if I remember.

Mr. STRIPLING. You weren't in Moscow, were you?

Mr. EISLER. Oh, yes; I was at Moscow, too; sure; yes.

Mr. STRIPLING. How long were you in Moscow?

Mr. EISLER. Five or six weeks.

Mr. STRIPLING. Next, you arrived in the United States on January 21, 1938.

Mr. EISLER. Correct.

Mr. STRIPLING. Admitted as a temporary visitor for a period of 6 months.

Mr. EISLER. Correct.

Mr. STRIPLING. Do you recall what kind of passport or visa you submitted when you arrived in January 1938?

Mr. EISLER. I had an Austrian passport.

Mr. STRIPLING. Did you have a visa?

Mr. EISLER. Yes; I had a visitor visa.

Mr. STRIPLING. Issued by what consul?

Mr. EISLER. I think the visitor visa was issued by the consul in Prague, Czechoslovakia.

Mr. STRIPLING. That is correct, Mr. Eisler, according to the figures which we have.

In June 1938 you requested an extension of your temporary stay for 3 months; is that correct?

Mr. EISLER. I think so.

Mr. STRIPLING. And on August 5, 1938, the Acting Secretary of Labor issued an order permitting you and your wife to remain until January 21, 1939, before departing from the United States; is that correct?

Mr. EISLER. I think it is correct.

Mr. STRIPLING. Sometime in 1938, the middle of the year 1938, did you and your wife apply for a quota visa?

Mr. EISLER. Yes; or even a nonquota visa—no; a quota visa.

Mr. STRIPLING. A quota visa?

Mr. EISLER. Yes.

Mr. STRIPLING. Where did you make the application?

Mr. EISLER. This is hard for me to remember. You must have it on file. I think I did the usual thing, which everybody does. Can you read it to me?

Mr. STRIPLING. You made it to the American consul in Habana, Cuba.

Mr. EISLER. Yes, I think so.

Mr. STRIPLING. On January 9, 1939, you filed an application to extend the time of your temporary stay for 6 months.

Mr. EISLER. Yes.

Mr. STRIPLING. From January 21, 1939; is that correct?

Mr. EISLER. Yes.

Mr. STRIPLING. On March 2, 1939, the Assistant Secretary of Labor ordered your deportation from the United States, as well as that of your wife.

Mr. EISLER. Yes; I remember this quite well.

Mr. STRIPLING. And you were given an extension until April 7, 1939, to depart. Do you recall the extension?

Mr. EISLER. Yes; I asked for an extension of deportation. Hitler was already in Austria, and being deported to Germany would have meant my execution.

Mr. STRIPLING. And on April 6 you asked for another extension?

Mr. EISLER. Yes.

Mr. STRIPLING. That was granted?

Mr. EISLER. Yes.

Mr. STRIPLING. Until April 15?

Mr. EISLER. Yes.

Mr. STRIPLING. Then, on April 12, 1939, where did you go?

Mr. EISLER. I think I went to Mexico City. I sent a telegram to the President and asked him for a temporary stay. He was very nice. I become visitor professor at the conservatory in Mexico City.

Mr. STRIPLING. Now, when you departed from Mexico, did you go through Laredo, Tex.?

Mr. EISLER. Yes.

Mr. STRIPLING. Then you returned to Laredo on September 11 of the same year, 1939, and entered as a visitor for business and pleasure?

Mr. EISLER. Yes.

Mr. STRIPLING. To stay until January 28, 1940?

Mr. EISLER. Yes.

Mr. STRIPLING. Is that correct?

Mr. EISLER. Correct. I had to write the music for a Broadway show.

Mr. STRIPLING. On January 26, 1940, you made an application to extend the time of your temporary stay?

Mr. EISLER. Yes.

Mr. STRIPLING. Is that correct?

Mr. EISLER. Correct.

Mr. STRIPLING. On February 21, 1940, the Assistant Secretary of Labor denied the application for extension of stay and ordered that you be deported forthwith—you and your wife?

The CHAIRMAN. Is that correct?

Mr. EISLER. I don't remember it exactly, but I guess it must be correct if it is in the files. It is very easy to check it.

Mr. STRIPLING. On May 31, 1940, it was found by the Immigration Service that neither you nor your wife were making any effort to depart. Were you making an effort to depart?

Mr. EISLER. Yes. I think we did everything, but sometimes it is very difficult.

Mr. STRIPLING. On July 17, 1940, warrants for the arrest of yourself and your wife, Louise Eisler, were issued, charging that you had remained in the United States for a longer period than permitted.

Mr. EISLER. 1940? That must be a mistake.

Mr. STRIPLING. July 17, 1940.

Mr. EISLER. This I don't remember. That is a mistake, possibly. I remember only one danger of deportation, if I am not mistaken, in 1939, for the simple reason my passport expired and I wanted to get a prolongation. I don't want to go to Germany. I hate the Nazis.

Mr. STRIPLING. Mr. Eisler, you were aware, were you not, that that order for deportation of yourself and that of your wife had been made by the Department of Labor?

Mr. EISLER. I think you must be right. You know this better than I. You have the files in front of you.

Mr. STRIPLING. Yes.

Were those warrants ever served upon you?

Mr. EISLER. I don't think so. I don't remember.

Mr. STRIPLING. Where did you go?

Mr. EISLER. Pardon?

Mr. STRIPLING. Where did you go? Why weren't they served on you?

Mr. EISLER. Would you be so kind and repeat the date?

Mr. STRIPLING. July 17, 1940.

Mr. EISLER. July 17, 1940? I guess you must be right—I mean you must be right. I don't remember this.

Mr. STRIPLING. The warrants were never served upon you, were they?

Mr. EISLER. Never served.

Mr. STRIPLING. They were never served?

Mr. EISLER. No.

Mr. STRIPLING. Did you go to Mexico——

Mr. EISLER. Yes.

Mr. STRIPLING. Voluntarily?

Mr. EISLER. To emigrate.

Mr. STRIPLING. Emigrate?

Mr. EISLER. Yes.

Mr. STRIPLING. But the warrants were never served upon you, deporting you?

Mr. EISLER. It is possible that the warrants were served to me, but I cannot remember this fact.

Mr. STRIPLING. You were residing at New York at the time the warrants were issued, weren't you?

Mr. EISLER. Yes.

Mr. STRIPLING. Did you then go to Bucks County, Pa.?

Mr. EISLER. I stay with some friend in Bucks County. I was commuting, you know, between New York and Bucks County. I had to teach in a school, and the usual——

Mr. STRIPLING. Then did you go from Bucks County to Los Angeles?

Mr. EISLER. Yes.

Mr. STRIPLING. And from Los Angeles you went into Mexico?

Mr. EISLER. Yes.

Mr. STRIPLING. And you applied——

Mr. EISLER. For a nonquota visa.

Mr. STRIPLING. For a nonquota visa?

Mr. EISLER. Yes.

Mr. STRIPLING. On September 26, 1940, you and your wife appeared before a special board of inquiry seeking admission to the United States for permanent residence at Calexico, Calif.; at the time you were in possession of a nonquota immigration visa?

Mr. EISLER. Yes.

Mr. STRIPLING. Who granted that visa to you?

Mr. EISLER. The American consul, or vice consul, in Mexicali, they call it.

Mr. STRIPLING. Mexicali?

Mr. EISLER. Yes.

Mr. STRIPLING. Now, did the board of special inquiry exclude you and your wife at the time you appeared before them?

Mr. EISLER. Yes. They made a lot of difficulties for us.

Mr. STRIPLING. They made a lot of difficulties for you?

Mr. EISLER. Yes.

Mr. STRIPLING. Did you appeal that decision?

Mr. EISLER. I had a legal right to appeal to Washington——

Mr. STRIPLING. I asked you: Did you appeal it?

Mr. EISLER. Absolutely.

Mr. STRIPLING. Was your appeal upheld?

Mr. EISLER. No. I have to wait 4 or 5, 6 weeks, there. Then there came the usual answer I should be admitted.

Mr. STRIPLING. Well, now, according to the record, on October 16, 1940, the Board of Immigration Appeals sustained the appeal of you and your wife, and you were admitted as a nonquota immigrant.

Mr. EISLER. Yes.

Mr. STRIPLING. And in accordance with their decision, on October 22, 1940, you were admitted, you and your wife, into the United States,

in accordance with this decision. And on October 30, 1940, the warrants of arrest which had previously been issued on July 17, 1940, were ordered canceled by the Board of Immigration Appeals.

On November 29, 1940, an application for a reentry permit was executed by you in New York County, N. Y., indicating your desire to go to Mexico in connection with employment with the Pan-American Films, Inc.

Mr. EISLER. Yes.

Mr. STRIPLING. Do you recall executing that request?

Mr. EISLER. Yes. I wrote the score for the motion picture *Forgotten Village*, by John Steinbeck.

Mr. STRIPLING. Now, a permit to reenter was issued on December 5, 1940; is that correct?

Mr. EISLER. Yes.

Mr. STRIPLING. And on January 6, 1941, you were admitted to the United States at Brownsville, Tex., by way of air; is that right?

Mr. EISLER. Yes.

Mr. STRIPLING. On June 10, 1941, in the United States District Court for the Southern District of New York, you filed your declaration of intention to become a citizen of the United States?

Mr. EISLER. Yes.

Mr. STRIPLING. Declaration No. 490.021 was issued; is that correct?

Mr. EISLER. Yes.

Mr. STRIPLING. On June 19, this year, you executed an application for a reentry permit in Los Angeles, Calif.?

Mr. EISLER. Yes.

Mr. STRIPLING. Was that granted?

Mr. EISLER. Not at all.

Mr. STRIPLING. On June 27, 1947, a memorandum was issued to the effect that the State Department requested that reentry permit be withheld until it should be decided whether exit permit should be issued.

On June 30, 1947, a telegram was sent to all field offices of the Immigration Service to watch for and prevent the departure of Eisler, unless he was in possession of evidence that an exit permit had been approved.

Mr. EISLER. I don't—

Mr. STRIPLING. Now, Mr. Eisler, where were you going?

Mr. EISLER. I wanted to go to write a score, for *Alice in Wonderland*, to Paris. In the meantime, I lost this contract and I couldn't go.

Mr. STRIPLING. Now Mr. Eisler, with the exception of the brief period which you spent in Mexico, you have been residing in the United States since 1940?

Mr. EISLER. Yes.

Mr. STRIPLING. During this period have you been employed in various capacities?

Mr. EISLER. Yes.

Mr. STRIPLING. Will you outline those for the committee—your employment?

Mr. EISLER. I was employed as professor of music at the New School for Social Research. And I got a grant from the Rockefeller Foundation—

Mr. STRIPLING. Just a moment. The New School for Social Research in New York City; is that right?

Mr. EISLER. Yes. I was working under a grant from the Rockefeller Foundation. I taught and studied, and composed.

Mr. STRIPLING. You taught and what?

Mr. EISLER. I composed my music. I was a teacher. I did my research work for the Rockefeller Foundation.

Mr. STRIPLING. Now, besides the New School for Social Research, were you ever employed by the Federal Government?

Mr. EISLER. Never.

Mr. STRIPLING. Didn't you assist in the making of a film for the Department of Agriculture?

Mr. EISLER. Yes, but wouldn't call it employment. It was a small picture. I wanted to do it free. I got, I guess, \$100 or \$200 for it.

Mr. STRIPLING. You were employed by the Department of Agriculture?

Mr. EISLER. Would you call this employment?

Mr. STRIPLING. Yes, if you received money.

Mr. EISLER. I don't know. If you think so——

Mr. STRIPLING. Were you ever employed by the Federal Theater Project?

Mr. EISLER. Never.

Mr. STRIPLING. Have you ever been employed in the motion-picture industry?

Mr. EISLER. Absolutely. I am a free lancer. Whenever somebody likes something exceptional in modern music he hires me.

Mr. STRIPLING. You write background music for motion pictures?

Mr. EISLER. Yes. That is only one part of my profession. I am a composer. I have written many many symphonic—chamber music—songs. And once or twice a year I write a motion picture, for different reasons. It interests me and I need the money.

Mr. STRIPLING. Would you outline for the committee the various studios by which you have been employed?

Mr. EISLER. Yes. I was one, two, three times hired by Independent Producers. I made *Hangmen Also Die*, for United Artists. It was an independent set-up called Arnold Productions. Then I made the picture *Scandal in Paris*, that was made by the same independent outfit. Then a picture, *Jealousy*, which was done, I guess, by Gong Productions, a small independent outfit.

Then I made five—let me see—None But the Lonely Heart, Deadline at Dawn, Spanish Main, Woman on the Beach, and So Well Remembered—five pictures for R-K-O Studio. But I was only there as a free lancer. I was hired from job to job.

Mr. STRIPLING. Your latest employment was with R-K-O—Keith?

Mr. EISLER. R-K-O; correct, sir. I wrote a score to a picture which they did in England—*So Well Remembered*.

Mr. STRIPLING. Mr. Chairman, Mr. Eisler will be subpoenaed, as you know, in connection with the investigation of Communist infiltration in the motion-picture industry. There are a number of questions which the committee has regarding his activities in Hollywood. However, I suggest that these questions be deferred until the hearing at that time.

The CHAIRMAN. Without objection, so ordered.

Mr. STRIPLING. Now, Mr. Eisler, are you now, or have you ever been, a Communist?

Mr. EISLER. I was, as I told you in my first hearing——

Mr. RANKIN. Mr. Chairman, we can't hear the answers, with all this noise going on behind us.

The CHAIRMAN. Will you speak just a little louder?

Mr. EISLER. Yes.

Mr. STRIPLING. Speak into the microphone, Mr. Eisler.

Mr. EISLER. Yes.

Mr. RANKIN. Will the counsel repeat his question?

Mr. EISLER. I will do my best.

Mr. STRIPLING. Yes. Are you now, or have you ever been, a Communist?

Mr. EISLER. I am not now a Communist. And I remember I made, when I was a young man, in 1926, an application for the German Communist; but I found out very quick that I couldn't combine my artistic activities with the demand of any political party, so I dropped out.

Mr. STRIPLING. You dropped out?

Mr. EISLER. Dropped out.

Mr. STRIPLING. I thought you said you made application.

Mr. EISLER. Yes.

Mr. STRIPLING. You wouldn't drop out if you made application.

Mr. EISLER. Oh, yes, sir. Look! If I join a union and don't pay union dues, after a couple of months I will be suspended.

Mr. STRIPLING. I understood you made application.

Mr. EISLER. Yes.

Mr. STRIPLING. Well, did you join?

Mr. EISLER. You know that is the implication, but I didn't take any more care of it. I just let it run.

Mr. STRIPLING. You did join the Communist Party?

Mr. EISLER. I made application.

Mr. STRIPLING. Did you join?

Mr. EISLER. It is so: You make an application. You get an answer—

Mr. STRIPLING. Mr. Chairman, the question is simple. What I have asked is. Are you now, or have you ever been, a member of the Communist Party?

Mr. EISLER. I say I am not now a member of the Communist Party. I tried to explain to you that I made in 1926 an application for the Communist Party in Germany, but I didn't follow the activities. I dropped out. I got an answer, but I was not active in political groups—

The CHAIRMAN. Mr. Eisler, let me ask that question a little differently. You did make application?

Mr. EISLER. Yes, sir.

The CHAIRMAN. And you did join, did you not?

Mr. EISLER. I did not really join. I made an application, and I got an answer, but I neglected the whole affair.

The CHAIRMAN. Then your answer is you were never a member of the Communist Party?

Mr. EISLER. Yes—this is hard to be correct. I want to be correct. You can put it that way—that a man who made an application to join was.

The CHAIRMAN. Were you a member?

Mr. EISLER. Not in the real sense.

The CHAIRMAN. Never mind the real sense. Were you a member or were you not a member?

Mr. EISLER. I told you, Mr. Chairman—and I repeat—I made an application but neglected—

The CHAIRMAN. I know. But is your answer "Yes" or "No"?

Mr. EISLER. That is my answer, Mr. Chairman.

The CHAIRMAN. No. You will have to be more specific. We want to know whether you were a member of the Communist Party.

Mr. EISLER. In the Communist Party, I would say I never was a member. When a man who doesn't follow up—

The CHAIRMAN. But you made application to be a member?

Mr. EISLER. Yes.

The CHAIRMAN. And was the application accepted?

Mr. EISLER. Yes.

The CHAIRMAN. That is all.

Mr. STRIPLING. Mr. Eisler, have you ever participated in any Communist Party meetings?

Mr. EISLER. Any party meeting? No.

Mr. STRIPLING. Mr. Eisler, as a matter of fact, you have been the foremost figure in the revolutionary movement of the Soviet Union in the musical field, have you not?

Mr. EISLER. No, sir. The Soviet Union has wonderful composers, and I never was in the foreground movement of the Soviet Union at all.

Mr. STRIPLING. Mr. Chairman, I have here a copy of the Daily Worker; that is, an excerpt from a copy of the Daily Worker of January 15, 1935. I should like to introduce this into the record.

It states [reading]:

HANNS EISLER WILL ARRIVE HERE JANUARY 27.

* * * This famous revolutionary composer, who has been living in exile in Paris and London since the advent of Hitler, is well known both in Europe and America for his brilliant composers, which include K-u-h-l-e W-a-m-p-e—

Would you pronounce it for us?

Mr. EISLER. Would you be so kind?

Mr. STRIPLING. K-u-h-l-e W-a-m-p-e?.

Mr. EISLER. Kuhle Wampe. This is a motion picture which I did in 1932, in Berlin.

Mr. STRIPLING (continues reading):

Hell on Earth, Comintern, M-a-s-s-n-a-h-m-e—

Mr. EISLER. What is that last one, please?

Mr. STRIPLING. M-a-s-s-n-a-h-m-e.

Mr. EISLER. M-a-s—would you be so kind, please?

(Mr. Stripling exhibits clipping.)

Mr. EISLER. Massnahme, which is a German word meaning "expedient."

Mr. STRIPLING. And the next one.

Mr. EISLER. Tempo der Zeit, which means "The Tempo of our Times."

Mr. STRIPLING. And the next one.

Mr. EISLER. Rot Front, which means "Red Front."

Mr. STRIPLING. Red Front?

Mr. EISLER. Yes.

Mr. STRIPLING. Did you compose all of those?

Mr. EISLER. Yes.

Mr. STRIPLING. The article goes on to state, Mr. Chairman [continues reading]:

His arrival in America marks the further extension of an international tour which has so far included lectures and concerts in Leningrad, Moscow, Copenhagen, Brussels, Paris, and London.

The Hanns Eisler Tour Committee, composed of representatives of the Workers' Music League, John Reed Club, League of Workers' Theaters, Workers Dance League, Anti-Nazi Federation, German Workers Clubs, and other groups are preparing for an outstanding reception for this courageous revolutionary musician and composer for February 8.

I ask that this be received as an exhibit, Mr. Chairman.¹ There will be various other documents, Mr. Chairman, introduced in this hearing which I likewise ask to be accepted as exhibits and made part of the record.

The CHAIRMAN. It is so ordered.

Mr. RANKIN. Well, Mr. Chairman, what is that from?

Mr. STRIPLING. It is from the Daily Worker, official organ of the Communist Party.

Mr. RANKIN. That is what I wanted to know.

Mr. STRIPLING. Now, Mr. Eisler, it is stated here that the Workers Music League was a part of the Hanns Eisler Tour. Are you familiar with the Workers Music League?

Mr. EISLER. I remember there was nice young men which were very friendly to me and interested in composing music for labor, for which I have a lot of sympathy.

Mr. STRIPLING. Now, do you conceive the Workers Music League to be a Communist organization?

Mr. EISLER. No. There must be some Communists in it, but it is a music organization which has social tendencies.

Mr. STRIPLING. Social tendencies?

Mr. EISLER. Absolutely.

Mr. STRIPLING. I have here, Mr. Chairman, the issue of the Workers Music League, dated December 1932, volume 1, No. 1, official organ of the Workers Music League, 55 West Nineteenth Street, New York City.² The emblem of the organization I will ask Mr. Eisler to explain and identify to the committee, because it has the hammer and sickle and some musical notes.

Mr. EISLER. Yes; sure.

Mr. STRIPLING. How would you describe that trade-mark so to speak, of the organization—the emblem of the organization?

Mr. EISLER. Would you be so kind and look at the date? It says "1932." I was not in this country—

The CHAIRMAN. The question is, Mr. Eisler, will you describe the emblem on that.

Mr. EISLER. The sickle and hammer is the communistic sign.

The CHAIRMAN. The hammer and sickle?

Mr. EISLER. Yes. But it is with a violin cleft, so it is not—

Mr. STRIPLING. You don't consider the Workers Music League to be a Communist organization, Mr. Eisler?

Mr. EISLER. No. A communistic organization is one which declares itself a communistic organization.

¹ See appendix, p. 189, for exhibit 1.

² See appendix, p. 189, for exhibit 2.

Mr. STRIPLING. Wasn't it the United States affiliate of International Music Bureau?

Mr. EISLER. I remember darkly some music bureau.

Mr. STRIPLING. You are very familiar with the International Music Bureau, with headquarters in Moscow?

Mr. EISLER. Yes. It was one of my ideas.

Mr. STRIPLING. It was your idea?

Mr. EISLER. Yes.

Mr. STRIPLING. You helped organize it, didn't you?

Mr. EISLER. No. I would——

The CHAIRMAN. Did you help organize it? That was the question.

Mr. EISLER. No.

Mr. STRIPLING. You didn't help organize the International Music Bureau?

Mr. EISLER. No. It was a voluntary collaboration between artists and labor groups. I am not an organizer. I am a composer. I advised them.

Mr. STRIPLING. That is all right, Mr. Eisler. We will get to the International Music Bureau in just a few minutes.

Mr. EISLER. Yes.

Mr. STRIPLING. I am sure you will admit that you were quite instrumental in its organization and in its reorganization?

Mr. EISLER. I advised, I admit—I gave my best advice when somebody asked me, but I am not what you call an organizer.

Mr. STRIPLING. Next, Mr. Chairman. I have the Daily Worker of February 18, 1935, which contains an article entitled "Noted Composer of Comintern Arrives for United States Concert Tour." "Hanns Eisler Exiled From Germany and Music Banned."³

This article is by Sergei Radamsky. [Reading:]

Hanns Eisler, the famous revolutionary German refugee composer, arrived in this country a few days ago.

I won't read the article in its entirety, Mr. Chairman. But I would like to read certain excerpts. [Continues reading:]

The spreading of revolutionary music among the German workers was not an accident, nor was it easily accomplished. The Communist Party in Germany had to fight the old beer-garden atmosphere and nationalist ditties of the middle class which had gone their way to the masses.

In this cultural and musical development the German workers were led by Hanns Eisler. The class struggle in Germany, strikes, barricades, first of May celebrations, and other demonstrations are bound up with his name.

* * * * *

Eisler, however, was not happy in the surroundings of the musical bourgeoisie. To be one of a great number of decadent musicians meant a futility stagnating to his talents. Only when Eisler came into the struggle of the working class did he find his medium, and with it grew his power of composing music which expressed not only the life and battles of the German workers but of the working class of the entire world.

The CHAIRMAN. What is it you are reading from now?

Mr. STRIPLING. From the Daily Worker, Mr. Chairman, concerning Mr. Eisler's arrival in the United States in 1935.

The CHAIRMAN. Mr. Stripling, just a minute.

Mr. RANKIN. Is that the Communist Daily Worker—the organ of the Communist Party in the United States?

³ See appendix, p. 189, for exhibit 3.

Mr. STRIPLING. It is the official organ of the Communist Party.

Mr. RANKIN. That is what I wanted the record to show.

Mr. STRIPLING (reading):

"Those who are acquainted with his solidarity song from the *Kulhe Wampe*, *The Ballad of Soldiers*, *On Guard*, *Roter Wedding*, *Comintern*, *Address to a New Born Child*, know the stirring message he tells in his music. The workers and peasants of the Soviet Union were quick to appreciate this, and his *On Guard*, *Comintern*, and others are tremendously popular. One hears them wherever workers gather.

* * * * *

This Hanns Eisler has done with remarkable success. We, in the United States, are acquainted with some of his songs, but not by far, to the degree deserved by him or needed by us. He is one of the leading spirits in music for the worker, an outstanding musician, a comrade, and always on the battle line with rank and file.

Do you take any disagreement with this article which Sergei Radamsky wrote in the *Daily Worker* of February 18, 1935?

(The article referred to is as follows:)

[From the *Daily Worker*, February 18, 1935]

NOTED COMPOSER OF COMINTERN ARRIVES FOR UNITED STATES CONCERT TOUR—
HANNS EISLER EXILED FROM GERMANY AND MUSIC BANNED—PROCEEDS OF CON-
CERTS AID VICTIMS OF NAZI TERROR

(By Sergei Radamsky)

Hanns Eisler, the famous revolutionary German refugee composer, arrived in this country a few days ago. Every effort has been made by the Hitler government to ferret out all of Eisler's music and to destroy his influence with the workers. To own one of his records in Germany is punishable by imprisonment. To be caught singing one of his songs is punishable by torture. Nevertheless, thousands upon thousands of records of Eisler's revolutionary mass songs are still played in Nazi Germany and his popularity is as high as ever.

The spreading of revolutionary music among the German workers was not an accident, nor was it easily accomplished. The Communist Party in Germany had to fight the old beer-garden atmosphere and nationalistic ditties of the middle class which had found their way to the masses.

In this cultural and musical development, the German workers were led by Hanns Eisler. The class struggle in Germany, strikes, barricades, First of May celebrations, and other demonstrations, are bound up with his name.

Eisler is a pupil of Schoenberg. He also had earlier musical training in the classics and old traditions of music, possessing knowledge and technique of the first order. His chamber music, piano compositions, and songs were performed at many music festivals in central Europe, which gained him recognition as an outstanding figure among the young modern composers of that period.

Eisler, however, was not happy in the surroundings of the musical bourgeoisie. To be one of a great number of decadent musicians meant a futility stagnating to his talent. Only when Eisler came into the struggle of the working class did he find his medium and with it grew his power of composing music which expressed not only the life and battles of the German workers, but of the working class of the entire world.

He pointed the way to many new composers, among whom were such talents as Stefan Volpe, the composer of *Rote Soldaten*, beloved by the masses in Germany, as well as in the United States and many other countries.

Eisler has taken an active part in the struggle of the working class of Germany. That is why his songs find instant response from the masses. Even the bourgeois critics have been forced to admit that the music of this revolutionary composer is "unique," "vital," "brilliant," "powerful," "stark in its essence" (*Deutsche Allgemeine Zeitung*). The antiradical *Leipsige Volks Zeitung* also had to admit that Eisler's music was "not just for the connoisseur alone—it appeals to the masses. It is new music from a master, sincere and singable."

Those who are acquainted with his solidarity song from the Kühle Wampe, The Ballad of Soldiers, On Guard, Roter Wedding, Comintern, Address to a New Born Child, know the stirring message he tells in his music. The workers and peasants of the Soviet Union were quick to appreciate this and his On Guard, Comintern, and others are tremendously popular. One hears them wherever workers gather.

The revolutionary movement, under the leadership of the Communist Party, has brought to its ranks many musicians whose activities are of great help in the class struggle. In the 8 years, 1925 to 1933, the music of Germany, for example saw a period of great activity among the workers. The revolutionary musicians were able to turn the old and traditional "gesanferein" into musical vanguards of the German proletariat. Music, in one form or another, had its place at gatherings, celebrations, and demonstrations. Thousands of choruses spread revolutionary songs, helping to stir the masses to action.

The difficulty has been, and still is, in finding the right idiom to express the class struggle in music, so as not to be obliged to follow in the tradition of the old bourgeois ditties. At the same time the masses who have not had the opportunity of studying and listening to good music, must be given simple but vigorous songs. It is one thing to discard the idiom of the decadent composers, but it is more complicated to create a new one.

This Hanns Eisler has done with remarkable success. We, in the United States, are acquainted with some of his songs, but not by far, to the degree deserved by him or needed by us. He is one of the leading spirits in music for the worker, an outstanding musician, a comrade, and always on the battle line with the rank and file.

MR. EISLER. I cannot identify all newspaper articles written about me, but I think it was well meant, and they want to show that in Germany I wrote a lot of music, especially in the last years before Hitler came to power, and that I did my best as an artist to help with my music in this very difficult struggle.

If you like, I can show you clippings for the same time from the Hearst press which say I am a monarchist and wanted the return of Kaiser Wilhelm.

MR. STRIPLING. Mr. Eisler, I checked the entire New York press for the same period and I don't find such clippings.

MR. EISLER. I will give you such a clipping.

MR. STRIPLING. Now, 5 days later the New York Daily Worker, the official organ of the Communist Party, carried a picture under the heading "Eisler greeted in New York."⁴ It has here a picture of what appears to be several hundred persons, all giving the Communist salute, with the clenched fist. And it says [reading]:

Part of soprano section of a chorus of 1,000 hails Hanns Eisler, * * * noted German revolutionary composer, as he arrives to conduct rehearsals for his concerts here.

Now, in the forefront of this picture, Mr. Eisler, is yourself, also giving the Communist salute.

MR. EISLER. This is a German salute, which is not——

MR. STRIPLING. Would you identify yourself from that picture?

MR. EISLER. Yes; absolutely. Here.

MR. STRIPLING. There is no question but that you are giving the salute?

MR. EISLER. Yes; but——

MR. STRIPLING. Would you demonstrate to the committee the salute you gave?

(Mr. Eisler demonstrates salute.)

MR. EISLER. May I add this salute was invented in Germany and was not only used by Communists but by our anti-Fascists. It is not a party salute.

⁴ See appendix, p. 189, for exhibit 4.

EISLER GREETED IN NEW YORK



Part of immense section of a chorus of 1,000 holds Hannu Eisler center, called German revolutionaries, as he arrives to conduct rehearsals for his concert here.

1935 "DAILY WORKER" SHOWS HIM GIVING COMMUNIST SALUTE

The CHAIRMAN. Mr. Stripling, where was this meeting held?

Mr. STRIPLING. In New York City, Mr. Chairman.

Mr. RANKIN. What paper was that in?

Mr. STRIPLING. That is the Daily Worker.

Mr. RANKIN. The Communist Daily Worker?

Mr. STRIPLING. Yes.

Now, on March 1, 1935, Mr. Eisler, there is an article here by Joe Foster in the Daily Worker from which I would like to read excerpts.⁵
[Reading:]

In every city of the world, hundreds of thousands of workers pound along the pavements, voicing in mass protest, the outrages and exploitations of their ruling classes. They remember their tortured and imprisoned comrades, the untold sufferings and brutality that has been their lot. As they march, thousands of voices eagerly catch up in militant determined song their struggles and their fight for liberation. In the pulsating, stirring rhythms of these revolutionary songs they forge their common challenge, which hurls itself in a volume of sound against the very walls of their ruling-class enemies.

Behind this music stands Hanns Eisler—foremost revolutionary composer.

Mr. EISLER. You see——

The CHAIRMAN. Just a minute. He hasn't finished.

Mr. EISLER. Pardon me.

Mr. STRIPLING. That is all I care to read from this particular article, Mr. Chairman. I would be glad for it to be included in the record.

The CHAIRMAN. Without objection, then, it is ordered that the article be put in the record in its entirety.

(The article above referred to is as follows:)

[From the Daily Worker, March 1, 1935]

HANNS EISLER, REVOLUTIONARY COMPOSER

(By Joe Foster)

In every city of the world, hundreds of thousands of workers pound along the pavements, voicing in mass protest the outrages and exploitations of their ruling classes. They remember their tortured and imprisoned comrades, the untold sufferings and brutality that has been their lot. As they march, thousands of voices eagerly catch up in militant determined song their struggles and their fight for liberation. In the pulsating, stirring rhythms of these revolutionary songs they forge their common challenge, which hurls itself in a volume of sound against the very walls of their ruling-class enemies.

Behind this music stands Hanns Eisler—foremost revolutionary composer. He is the beloved of all the masses of every country. In Prague, Holland, Vienna, Saarbrücken, Paris, London, and in other cities, the masses flock by the thousands to hear him. And no wonder. For his music reflects with complete understanding the reality of their lives, infuses them with courage, and provides a stimulus for further struggle.

The author of Comintern, Rot Front, Solidarity, and scores of others, was born in Leipzig in 1898. As a musician, he was, in his earlier stages, completely self-taught. When he realized that all music, all culture, could have a future only when identified with working-class interests, he decided to take instruction from recognized masters. For in composing for the working class, only the best traditions in art were good enough. On this basis a superior, newer revolutionary technique could be built up.

The war interrupted his plans. He was inducted into the Austrian Army against his will. But once enrolled, he did his share in fighting the workers' cause among the soldiers. Then, when he was mustered out, he immediately took up his musical studies once more. He became a student of Arnold Schoenberg, the acknowledged master of modern form, and in very short order became his favorite pupil. He won several state prizes for his brilliant compositions and

⁵ See appendix, p. 189, for exhibit 5.

his technical excellence. He appeared at many of the better-known German state festivals, and before long he was regarded by bourgeois critics as the most promising of the younger composers.

But despite these honors, and critical approval, he hated the music that he wrote. It was terrible, without social content, and was received only by the social elite. It was music in a vacuum.

When he had absorbed all that the Schoenberg school could give him, he ceased this type of writing and immediately began to write the music of his own convictions. If his music was excellent before, it was now superb, imbued with meaning, with vitality; it was now perfectly integrated with social reality, with the struggles in society.

From that period up to the present he has written most of the working-class songs that are sung at demonstrations, at workers' celebrations, at meetings, and wherever workers' cultural movements find expression.

Naturally he was the first to go, when Hitler came into power. His music was destroyed, his records broken. Under penalty of severe imprisonment his music was banned. Despite the fact that the terror against all culture raged violently throughout Germany, many workers buried their records, and then played them at comparatively safer moments. This so infuriated the Nazi inquisitors that the mere possession of an Eisler record was cause for torture and imprisonment.

Against this brutality and barbarism, Hanns Eisler has fought an unceasing battle. Not only has he composed music for workers but he has flung the challenge to all artists. In addressing his contemporaries throughout Europe he has pointed out that all artists are involved. They must realize that the common struggle introduces considerations which face every composer. Whether he be bourgeois or radical, for him the liberty of expression hangs in the balance and as such is the concern of every genuine artist who is interested in artistic freedom. He has also pointed out that the artist is not free from the economic crisis. All music is influenced by reality. Music springs from the social order and the artist is the instrument of that expression. A new type of artist will be he who not only reflects social conditions but also strives to change them. This is Eisler's definition of progress in art.

How well these sentiments have been reflected in his music has long been appreciated by workers on the continent. We in America will also realize it when we listen to Hanns Eisler direct over 1,000 voices in mass songs from the platform of Mecca Temple on March 2.

MR. STRIPLING. Mr. Eisler, I have here the Daily Worker of October 7, 1935, an article by Charles Hatchard, under the headline "Music unifies workers—Eisler describing experiences in Europe."⁶ This article was written after you had returned from Moscow; is that right?

MR. EISLER. I don't remember the article.

MR. STRIPLING. This is October 1935.

MR. EISLER. I don't remember this article.

MR. STRIPLING. It starts out [reading]:

Hanns Eisler, German exile and world's leading composer of music and songs for workers, returned to America Friday from a tour of France, Czechoslovakia, and the Soviet Union as world chairman of the International Music Bureau. A pink-cheeked man with sparkling gray eyes, the composer brought news of workers' musical achievements in Europe which he himself had no small part in developing.

Later it says:

The International Music Bureau, which he has headed for 3 months, is having marked success in bringing together professional and amateur musicians and contemporary composers.

And it also states:

A large edition of his compositions—
referring to your compositions—

is being published this year by the State Publishing House of the Soviet Union. Eisler is also at work on the score for a Soviet movie directed by Ivens—

⁶ See appendix, p. 189, for exhibit 6.

Mr. EISLER. Yes; directed by Ivens.

Mr. STRIPLING. We will get to Mr. Ivens later. The article concludes [reading]:

In the heat of the October revolution, Eisler reminds all musicians, proletarian love of music was powerfully promoted and developed by the Soviet. The fourth member of Pravda after the seizure of power featured a long article calling upon all workers and Red Army men to learn songs and music.

"For music identifies and unifies the workers," Eisler remarks with a warm smile. "The songs of the workers will rise in this present conflict from the trenches on either side of every man's land. In that unity of voices and of action lies our hope for the world's future."

Do you have any disagreement with what Mr. Hatchard has said?

Mr. EISLER. I couldn't speak about a German when I was there, but naturally this article tries to reflect my position in Germany. Naturally, being artists, we did our best to help in fighting against Hitler, and we knew in 1933 and 1932 that Hitler really meant war. This writer has the right to write what he likes. I can only speak for myself. I am not responsible for every article written about me.

Mr. STRIPLING. Mr. Eisler, in referring to the Daily Worker of October 2, 1935, it says—by L. E. Swift ⁷ [reading]:

THE RETURN OF HANNS EISLER

The arrival in New York on the 3d of October of Hanns Eisler, world-famous German revolutionary composer, is an event of special significance to all those workers as well as professional musicians who have been actively engaged in the development of proletarian music in this country. * * *

While in Moscow, the German musician was chosen head of the newly reorganized International Music Bureau, whose activities he brings with him now to New York. This in itself is of vast significance for the development of American proletarian music, inasmuch as it will mark the beginnings of far closer relations between the comparatively young American workers' music movement and those of the European countries.

Mr. Chairman, I ask that this article in the Daily Worker also be included in the record in its entirety.

The CHAIRMAN. Without objection, it is so ordered.

(The article above referred to is as follows:)

THE RETURN OF HANNS EISLER

(By L. E. Swift)

The arrival in New York on the 3d of October of Hanns Eisler, world-famous German revolutionary composer, is an event of special significance to all those workers as well as professional musicians who have been actively engaged in the development of proletarian music in this country. Eisler, whose first visit to the United States last spring was on a concert tour for the purpose of raising funds for the relief of the child victims of Hitler's fascism, returns now for an extended stay after a wide European tour.

While in Moscow, the German musician was chosen head of the newly reorganized International Music Bureau, whose activities he brings with him now to New York. This in itself is of vast significance for the development of American proletarian music, inasmuch as it will mark the beginnings of far closer relations between the comparatively young American workers' music movement and those of the European countries.

In the spring, Eisler's activity was of immense value, not only in the creative and concert fields, but also in bringing the guidance of a mind long trained in music-organizational matters to the various newly forming workers music groups all over the country. In this country music has been perhaps the last of the arts to break away from the 100 percent reactionary art-for-art ideology. Only since the depression, which has thrown tens of thousands of musicians out of work,

⁷ See appendix, p. 189, for exhibit 7.

closed down opera houses and concert halls, and seriously restricted the possibilities of performance of new works by American composers, has the great rank and file of musicians and music lovers begun to feel that something is wrong somewhere.

Yet, on the whole, a clear Marxist critique of the whole function of music in, and its intimate dependence on, the successive developments of bourgeois society has not yet been worked out by or popularized among American musicians. This is certainly one of the reasons that accounts for the comparative backwardness of proletarian music in this country as compared with the corresponding development of proletarian literature, theater, dance, art.

Hanns Eisler's many years of experience in the highly developed German workers' music movement, which before its suppression by the Nazis numbered upward of 275,000 amateur and professional participants, will be of great assistance to those active in the workers' music movement in this country. In order to bring his experience home more concretely to the latter, Eisler will give two courses this fall at the New School for Social Research: Musical Composition, and the Crisis in Modern Music. In the former, the German composer will give concrete instruction in choral writing as well as in the mass song. Students of composition and composers who are interested in writing for workers' groups will have here an unusual opportunity to learn the special techniques involved from the author of compositions which are sung by millions in every land.

The second course given by Eisler at the New School will be open not only to students of composition, but to all interested in modern music. In this course, Eisler will present a detailed and thoroughgoing analysis of the position of music in the present-day world taking into account the latest economic and sociological developments. Among the points to be covered in this course are: Material basis of the crisis of modern music; the contradiction between modern music and modern life; sociological criticism of works of Schoenberg, Stravinsky, Hindemith, and others.

All interested in seeing music in its proper setting in contemporary society and of having a deeper understanding of the forces at work in modern music today are urged to attend either or both of these courses.

MR. STRIPLING. Mr. Eisler, the committee has quite a bit of evidence here—

MR. EISLER. I see.

MR. STRIPLING. Concerning the International Music Bureau.

MR. EISLER. Yes.

MR. STRIPLING. Which you organized and which you reorganized.

Now, would you give the committee a complete statement of your activities in that connection?

MR. EISLER. Yes; I would be delighted.

It was my idea to group together anti-Fascist artists, composers, and try to make some kind of a music bureau. I spoke with several friends in France and in Berlin and we decided to do such a thing. Unfortunately, it never materialized. We were all too busy. I guess this article was well meant, but it really never existed. There may have been some talk about it.

Since I had written some songs for moving pictures and the theater which became quite popular in the labor movement, it was natural that my colleagues in London and Paris said that I should try to make this thing go. We would exchange cultural experiences. Don't forget this is music, and nothing else.

MR. STRIPLING. Mr. Eisler, on that point, you say it is music and nothing else; haven't you on a number of occasions said, in effect, that music is one of the most powerful weapons for the bringing about of the revolution?

MR. EISLER. Sure. Napoleon the First said—

THE CHAIRMAN. Never mind Napoleon. You tell what you said.

MR. EISLER. I consider myself, in this matter, a pupil of Napoleon.

I think in music I can enlighten and help people in distress in their fight for their rights. In Germany we didn't do so well. They are friendly words, from this man in the Daily Worker, but the truth is songs cannot destroy fascism, but they are necessary. It is a matter of musical taste as to whether you like them. I am a composer, not a lyric writer. If you don't like them, I am sorry—you can listen to *Open the Door*, Richard.

MR. STRIPLING. You have written a lot of songs, Mr. Eisler, have you not?

MR. EISLER. I have written not only songs, but I have written everything in my profession. Here [indicating] is a book printed by a subversive organization, the Oxford University Press, but I couldn't say that I am a member of the Oxford University Press. This came out 2 weeks ago.

I would ask you, Mr. Stripling, to study this book. I did work for the Rockefeller Foundation.

MR. STRIPLING. Mr. Eisler, when we get through with the International Music Bureau we will take up your work with the Rockefeller Foundation—for which you received \$20,000.

MR. EISLER. My salary was exactly \$65 a week.

MR. STRIPLING. We will go into the exact amount which you received.

MR. EISLER. Yes.

MR. STRIPLING. The International Music Bureau was organized in Moscow, was it not?

MR. EISLER. I spoke with some of the German refugees in Moscow.

THE CHAIRMAN. Was it organized in Moscow?

MR. EISLER. No. If it ever came to having an office, we wanted it in Paris, London, or Prague. I was not in Moscow. How could there be an office in Moscow—if I am the head? It was my idea to organize such a thing.

THE CHAIRMAN. Just a minute. The question was, Was the International Music Bureau organized in Moscow?

MR. EISLER. No.

THE CHAIRMAN. You can answer that in one word.

MR. EISLER. No.

MR. STRIPLING. Mr. Chairman, in connection with that, I should like to introduce a translation of an article which appeared in Soviet Music, No. 2, the March and April 1933 issue, pages 126 and 127, entitled "For a Solid Front of all Proletariat and Revolutionary Musicians," by P. Weis^s—L. C. translation, Veis. [Reading:]

In November of 1932 was held the First International Musical Conference in which participated representatives of the following countries: United States of America, Japan, France, Hungary, Austria, Holland, Belgium, Mexico, and Lithuania. The first International Music Bureau was elected, the object of which was to prepare the ground for creating an international union of revolutionary musicians because the need for this was apparent—

MR. EISLER. I was not present—

THE CHAIRMAN. Just a minute.

MR. STRIPLING (continuing):

Creating a revolutionary single front in the musical movement can be accomplished only by politicalization. We should not verge one single iota from a

^s See appendix, p. 189, for exhibit 8.

program of progressive class struggle. We can be successful in our efforts only if we know how to transplant our political slogans to the sphere of music. It isn't sufficient just to expose the treachery of reform leaders; we should also be able to show how the socialist fascistic ideology displays itself in special forms of musical movements and musical creations. It is not sufficient only to point out to the crisis of capitalization in general; we should also show concretely the decadence of all bourgeois culture and particularly musical culture. We should prove that the only right road for artistic creations, which include also that of musicians, is in service to the objectives of proletariat revolution.

Finally, it isn't sufficient to preach that the proletariat should use music as its weapon in the class struggle. This is the basic truth of Marxism-Leninism. They call us just mere braggards if we cannot create music which will actually awaken and strengthen the class consciousness of the vast laboring masses. Therefore, the basic point upon which our attention should be extended is the creation of revolutionary music. * * *

Our music should be impregnated with revolutionary energy and consciousness of the proletariat.

The proletariat music must be the music of the masses and should become a powerful factor in the liberating struggle of the working classes. * * *

When we say that revolutionary music should be mass music, we mean by this that it should awake the wide masses of workers, inspire them, and lead them to struggle. * * * Revolutionary and proletarian musicians of all countries, join the Red single front of the workers.

That appeared in *Soviet Music*, a Soviet publication.
(The article referred to is as follows:)

[From *Soviet Music*, No. 2, March-April 1933, pp. 126, 127]

FOR A SOLID FRONT OF ALL PROLETARIAT AND REVOLUTIONARY MUSICIANS

(By P. Weis (L. C. translation, Veis))

In November of 1932 was held in Moscow the First International Musical Conference, in which participated representatives of the following countries: United States of America, Japan, France, Hungary, Austria, Holland, Belgium, Mexico, and Lithuania. The first International Musical Bureau was elected, the object of which was to prepare the ground for creating an international union of revolutionary musicians, because the need for this was apparent. For instance, in various countries there already exist proletariat revolutionary musicians' organizations who are experienced and who have laid a foundation for revolutionary musical creations in other countries where organizations have just been formed.

What are the principal problems of the revolutionary musical movement in individual countries?

Organizations which already have been strengthened in prolonged and successful struggle—organizations of labor musicians in Germany, the Labor Musical League of the United States, and the Union of Proletariat Musicians of Japan—should make it their object to become real mass organizations. They should not only get control of the majority of labor musical circles, they should not only endeavor to organize new revolutionary labor choruses and instrumental circles, but they should also try and attract into their ranks the large masses of the laboring musical intelligentsia. Because of the blows of the economic crisis which accompanies the fall of culture in capitalistic countries, and because of the victorious development of socialistic economy and culture in the Soviet Union, the better representatives of the bourgeois intelligentsia, which include the first-class musicians, are joining themselves with the proletariat. In Germany, France, Czechoslovakia and the United States, etc., one could name a number of outstanding composers who are on their way to us. We should beware of sectarian limitations in regard to these radical musical intelligentsia. On the contrary, we should rectify the mistakes which have been made in the past and do everything possible to attract them to us and show the large masses of the laboring intelligentsia the way to the revolutionary single front.

One requirement of this work is to expose the chauvinistic demogogs of fascism and the struggle with the bourgeois musical organizations which are under the influence of this ideology, such as the Youth Musical Movement in Germany and the New Symphony in Japan.

One should not forget that in such organizations there are many musicians who have fallen into the embrace of this fascistic ideology.

From the above, we see clearly the political directives for the newly created organizations and those which are being created at the present moment. Practically, they can learn with success from existing organizations of the revolutionary art, and especially from such allied organizations as, for instance, the left front in Czechoslovakia. A joint effort of various revolutionary artistic and cultural organizations is needed everywhere.

Creating a revolutionary single front in the musical movement can be accomplished only by politicalization. We should not diverge one single iota from a program of progressive class struggle. We can be successful in our efforts only if we know how to transplant our political slogans to the sphere of music. It isn't sufficient just to expose the treachery of reform leaders; we should also be able to show how the socialistic fascistic ideology displays itself in special forms of musical movements and musical creations. It is not sufficient only to point out to the crisis of capitalism in general; we should also show concretely the decadence of all bourgeois culture and particularly musical culture. We should prove that the only right road for artistic creations, which include also that of musicians, is in service to the objectives of proletarian revolution.

Finally, it isn't sufficient to preach that the proletariat should use music as its weapon in class struggle. This is the basic truth of Marxism-Leninism. They will call us just mere braggarts if we cannot create music which will actually awaken and strengthen the class consciousness of the vast laboring masses. Therefore, the basic point upon which our attention should be centered is the creation of revolutionary music.

What is revolutionary music? This question should be answered practically, but this does not mean that theoretical directives cannot be given. On the contrary, for productive, creative work theoretical clearness is essential. That is why we should always be occupied with these questions. It is absolutely necessary that these questions should be discussed widely in individual countries.

Today we shall try to establish the following issue: We need music which should expose unmerciful class inconsistencies in the period in which capitalism is dying. For this purpose vocal music would serve best, but it would be a mistake to think that we could apply any music to a text of a political and artistic value. Our problem is therefore to find such melodies, rhythms, and harmonies. In other words, such methods and musical expressions which in turn would transmit their political, artistic contents and would raise it to a higher level. Our music should be impregnated with revolutionary energy and consciousness of victory of the proletariat.

We base ourselves on the whole culture which has been created by humanity so far. We should utilize everything of value that it contains, but we can do this only if we will critically examine it and adapt it to our objectives. We need it to utilize its valuable elements and create proletarian socialistic music culture.

The proletarian music should be the music of the masses and should become a powerful factor in the liberating struggle of the working classes. One of our main problems is the creation of mass songs and music for workers and musical circles. We should not limit ourselves to this only. We should utilize for our purposes the great variety of professional musicians. When we say that revolutionary music should be mass music, we mean by this that it should awake the wide masses of workers, inspire them, and lead them to struggle. Only under these conditions will it actually become revolutionary music. Revolutionary and proletarian musicians of all countries. Join the Red single front of the workers.

Mr. STRIPLING. You said that you were the inspiration for the International Music Bureau. They state the origin and genesis of it.

Mr. EISLER. I was not in this country, Mr. Chairman. May I object to the reading of articles of this kind, old articles from a different time, because it can only create a kind of hysteria against me. If you want to do something for me please ask me about these things.

The CHAIRMAN. Mr. Stripling, what is the purpose of your reading these excerpts?

Mr. STRIPLING. The purpose is to show that Mr. Eisler is the Karl Marx of communism in the musical field and he is well aware of it.

Mr. EISLER. I would be flattered.

Mr. STRIPLING. In California he indicated that the only thing he ever did was to file an application to join the Communist Party—he had no knowledge of communism. When he was asked by the board of special inquiry, when he entered this country, if he was familiar with communism, he said, “No.” When he was asked if he had ever cooperated with the Soviet Union, his answer was “No.”

Mr. EISLER. But did I deny I was in Moscow? Did I deny any of the works which I have written? Was not I questioned about every song which I wrote and I gave answers? What do you mean, Mr. Stripling?

Mr. STRIPLING. Mr. Chairman, I intend to show that the International Music Bureau, as a section of the Communist International, was a major program of the Soviet Union in their effort to bring about a world revolution and establish a proletarian dictatorship. This International Music Bureau which Mr. Eisler conceived and reorganized in 1935, after he had been in the United States, carried on extensive activities, which I shall be glad to introduce into the record. Now, I would like to question Mr. Eisler about the origin of it.

You have admitted that it was your idea?

Mr. EISLER. It was my idea and the idea of my friends. I assure you it was the idea of my friends.

The CHAIRMAN. You have answered the question.

Mr. EISLER. Yes. I take all responsibility for such a thing, but I assure you—

The CHAIRMAN. You have already answered the question, Mr. Eisler.

Ask another question.

Mr. EISLER. Could I finish my sentence, Mr. Chairman?

The CHAIRMAN. You have answered.

Please go ahead and ask the next question.

Mr. STRIPLING. The Soviet Music issue of January and February of 1933, No. 1, page 142, entitled “International Bureau of Revolutionary Music,” has the following to say⁹ [reading]:

In February of 1932 there was laid down a firm beginning for the International Union of Revolutionary Musicians. At the initiative of the secretariat of the International Union of Revolutionary Theatres, there has been established within this organization a musical section.

During a comparatively short period, the musical section of MORT has done considerable work in strengthening the international musical bonds.

In November 1932, the first international music conference of great historical significance took place in Moscow, which was organized through the efforts of the musical section of the MORT and Union of Soviet Composers. * * *

It was decided to create in place of the musical section of the MORT an International Music Bureau, which was to have the functions of organizing committees for establishment of an International Union of Revolutionary Music. The following members were elected to this bureau: Comrade Eisler (Germany), Shafer (London), Adomian, Keller (United States of America)—

I won't list the other members of the bureau, Mr. Chairman. I want to point out that Mr. Eisler was the first one selected as a member of the bureau.

It continues [reading]:

For directing the work of the bureau, a secretariat was formed, which included the following members—

⁹ See appendix, p. 189, for exhibit 9.



Picture of Hanns Eisler in Moscow listening to his revolutionary songs performed on the Russian Garmshka (accordion). Eisler is currently a composer in Hollywood. (From John A. Clements Associates, 250 West Fifty-seventh Street, New York, N. Y.)



Picture of Hanns Eisler conducting the singing of his march, Comintern (Communist International), by Moscow children in Moscow, Russia. This picture of Eisler in Moscow was taken 9 years after he claimed he had dropped out of the Communist Party. (From John A. Clements Associates, 250 West Fifty-seventh Street, New York, N. Y.)

It lists the members, and there is the name of Mr. Eisler. [Continues reading:]

The principal tasks of the IMB are to unite all of the revolutionary musical forces in all countries, to exchange musical experience and musical material among different countries, to attract into the ranks of the revolutionary musical front the better representatives of the workers' intelligentsia, to create sections in the capitalistic countries, and to call a world congress for the organization of the International Union of Revolutionary Music. The American Workers Musical League, the German Union for the Advancement of Revolutionary Music, and the Japanese Union of Proletariat Musicians have already become national sections of IMB.

(The complete article for the record is as follows:)

[From Soviet Music, January and February 1933, No. 1, p. 142]

INTERNATIONAL BUREAU OF REVOLUTIONARY MUSIC

The world economic crisis and the crisis of the whole capitalistic system has resulted in an unheard-of unemployment and pauperization of the broad laboring masses. In connection with this, notwithstanding the treacherous and counter-revolutionary activity of the Social Fascists, the national liberation movement in the west is nevertheless progressing.

In this movement, the revolutionary music plays an important part. In several countries (Germany, United States, Japan, and others) the revolutionary musical movement has reached considerable scope and already has established a firm fighting tradition. The choral song of the German proletariat composer Hanns Eisler, Comintern, is well known among us and enjoys popularity among the revolutionary workers in the capitalistic countries. The Workers Musical League of America, which unites numerous national groups, has given several musical presentations at the revolutionary festivals, meetings, and prelection campaigns. The Union of the Proletariat Musicians of Japan, which is comparatively young, has already developed into a mass organization which unites many of the lower-rank factory, village, and street musical circles.

In February of 1932, there was laid down a firm beginning for the International Union of Revolutionary Musicians. At the initiative of the secretariat of the International Union of Revolutionary Theatres (MORT) there has been established within this organization a musical section.

During a comparatively short period, the musical section of MORT has done considerable work in strengthening the international musical bonds.

In November 1932, the first international music conference of great historical significance took place in Moscow, which was organized through the efforts of the musical section of the MORT and Union of the Soviet Composers.

This conference discussed the extent of the report by Comrade Gorodinskii—"Musical Front of the U. S. S. R."—a report on the organization questions was presented by Comrade Shargorodskii, and also reports of the following representatives of the revolutionary music of other countries: Comrades Shafer (United States of America), Yone (Japan), Malter (Austria), Klamamius (France), Menazhe-Shalle (Holland), and also a representative of the Baltic countries.

At this conference there was a wide discussion on the questions of musical creation, utilization of the musical heritage, the question of jazz music, and Soviet musical criticism of the national musical culture, etc. It was decided that the exchange of musical experience would become the basis for its further accomplishment.

It was decided to create in place of the musical section of the MORT an International Musical Bureau, which was to have the functions of organizing committees for establishment of an International Union of Revolutionary Music. The following members were elected to this bureau: Comrades Eisler (Germany), Shafer, Lan Adomian, Keller (United States of America), Yone, Taro-Hara (Japan), Klamamius (France), Morton (England), Saho (Hungary), Matler (Austria), Menazhe-Shalle (Holland), Bertini (Lithuania), and Gorodinskii Belyi, Feinberg, Gedike, Shishov, Aleksandrov, Chemberdzhi, Shneerson, Asaf'ev, Iokhel'son, Shargorodskii, and Veis (U. S. S. R.). Besides this, for Germany and Austria, where the revolutionary musical movement has developed extensively and where it has to fight a strong movement of Social Fascists, there are vacancies for these places in the bureau.

For directing the work of the bureau a secretariat was formed which included the following members: Comrades Gorodinskii, Belyi, Saho, Eisler, Aleksandrov, Veis, Shargorodskii, and Shneerson. Comrade Gorodinskii was elected chairman of the IMB and Comrade Shneerson was confirmed as the organizing secretary.

The principal tasks of the IMB (MMB) are to unite all the revolutionary musical forces in all countries, to exchange musical experience and musical material among different countries, to attract into the ranks of the revolutionary musical front the better representative of the workers' intelligentsia, to create sections in the capitalistic countries, and to call a world congress for the organization of the International Union of Revolutionary Music. The American Workers Musical League, the German Union for the Advancement of Revolutionary Music, and the Japanese Union of Proletariat Musicians have already become national sections of the IMB.

MR. STRIPLING. Mr. Eisler, when I introduced exhibit 2 and asked you to identify the emblem of the Workers Music League, you said that it was not affiliated with the international union.

MR. EISLER. I don't really know. This was a copy from 1932. I don't know how that affiliation was. I was here as a composer. If somebody asked me about music, I would talk about it. I would make speeches about Beethoven for amateur orchestras, and so on.

MR. STRIPLING. Mr. Eisler, who composed the Internationale?

MR. EISLER. A man called Pierre Degeyter. It was written around 1888.

MR. STRIPLING. Did you ever belong to an organization known as the Pierre Degeyter Music Club?

MR. EISLER. I had a lecture there once.

MR. STRIPLING. In the United States.

MR. EISLER. Yes. In the Pierre Degeyter Club.

MR. STRIPLING. Do you consider it to be a Communist organization?

MR. EISLER. Mr. Stripling, I don't ask anybody is he a Communist or not when I go to a club and speak. I was in many clubs and in many concerts. I don't check up on them.

MR. STRIPLING. Well, now do you know whether or not it is a Communist organization?

MR. EISLER. I don't know.

MR. STRIPLING. Mr. Eisler, did you ever lecture at the Communist Party headquarters?

MR. EISLER. No.

MR. STRIPLING. You did not?

MR. EISLER. No.

MR. STRIPLING. In November of 1935 didn't you appear at the Communist Party headquarters with your brother, Gerhart Eisler?

MR. EISLER. My best recollection is I do not remember.

MR. STRIPLING. You lectured on the cultural movement in the United States.

MR. EISLER. I was never elected to anything by the Communist Party.

MR. STRIPLING. Your answer is that you did not?

MR. EISLER. To my best memory and recollection, this is not true.

THE CHAIRMAN. Your memory is better today than it was in Los Angeles, isn't it?

MR. EISLER. Yes.

THE CHAIRMAN. So you can recall whether you attended such a meeting with your brother Gerhart.

MR. EISLER. I really cannot recall. I am not a coward. I really do not recall.

The CHAIRMAN. Is your answer "yes" or "no"?

Mr. EISLER. My answer is that I don't remember it.

Mr. STRIPLING. Were you a member of the Pierre Degeyter Club?

Mr. EISLER. Never.

Mr. STRIPLING. You were not?

Mr. EISLER. I was a guest. At this time I was exactly 10 days in New York. When I came back it was already dissolved. How could I be a member? Maybe they made nice remarks about me, but I don't know.

Mr. STRIPLING. Mr. Chairman, we have here the record of the Pierre Degeyter Club. Here is the membership roll of the Pierre Degeyter Club.¹⁰ Under the "E's" is listed as, I assume, member No. 12, as Eisler, 147 Abbey Road, London. I think it is in your handwriting.

Mr. EISLER. It is very nice for this young man to elect me, but I lived in London, didn't know anything about it.

Mr. STRIPLING. Is this your handwriting?

Mr. EISLER. No.

Mr. STRIPLING. Was that your address at that time?

Mr. EISLER. In London; yes.

Mr. STRIPLING. This states, Mr. Chairman: "Membership roll."

Now, is this your handwriting [indicating]?¹¹

Mr. EISLER. Absolutely; it is.

Mr. STRIPLING. It is written in German, and I wonder if you would translate it for the committee.

Mr. EISLER. The heartiest greetings and wishes—revolutionary greetings and wishes to the Pierre Degeyter Club.

Mr. STRIPLING. Would this be it: "The heartiest revolutionary greetings and wishes to the Pierre Degeyter Club"?

Mr. EISLER. Yes.

Mr. STRIPLING. Signed "Hanns Eisler"?

Mr. EISLER. Yes.

Mr. STRIPLING. Is that right?

Mr. EISLER. Yes.

Mr. STRIPLING. You wrote that?

Mr. EISLER. Yes.

Mr. STRIPLING. Now, Mr. Chairman, among the records which the committee has on the Pierre Degeyter Club is one which states, "Pierre Degeyter Club, predecessor of the American Music League."¹²

Pierre Degeyter Club was changed to the American Music League. Here are the minutes of the American Music League for the meeting June 15, 1936¹³ [reading]:

The minutes of meeting of June 8, 1936, were read and accepted.

Communications were read:

1. Letter from district 2 of the Communist Party asking us to adopt a resolution of protest against the action of the Supreme Court in voiding the minimum-wage law and against the power of the Supreme Court. A motion was made to send telegrams to our congressional representative and to President Roosevelt protesting recent Supreme Court decisions and requesting that action be taken to curb their power. The motion was amended to send letters instead of telegrams, and the amended motion was carried. * * *

¹⁰ See appendix, p. 189, for exhibit 10.

¹¹ See appendix, p. 189, for exhibit 11.

¹² See appendix, p. 189, for exhibit 12.

¹³ See appendix, p. 189, for exhibit 13.

4. Letter from the Soviet Union on the subject of the exuberance of musical culture of the peoples of the Union of Soviet Socialist Republics. A motion was made and carried that this rather lengthy letter be read at next Monday's open meeting and to be part of the program. * * *

I offer these,¹⁴ Mr. Chairman, to indicate the complexion, so to speak, of the organization. The Pierre Degeyter Music Club published a number of songs, some of which were Mr. Eisler's, but its activities were not as extensive as those of the International Music Bureau, which I would like to return to.

I have here, Mr. Chairman, what is entitled "International Collection of Revolutionary Songs."¹⁵ On the front is the hammer and sickle. Inside, under the date of 1933, it has the hammer and sickle. It says "International Music Bureau of IURT, International Collection of Revolutionary Songs."

On page 24 there appears a song entitled "The Comintern March," by Hanns Eisler.

Now, Mr. Eisler, did you compose the music for the Comintern March?

MR. EISLER. I composed a march for a theater play in 1926 or 1927, which was later popular and got a different title. I am the author of the song.

MR. STRIPLING. Of the Comintern March?

MR. EISLER. Yes.

MR. STRIPLING. Will you explain to the committee what the Comintern is?

MR. EISLER. The Comintern was an international organization of labor.

THE CHAIRMAN. I didn't hear you.

MR. EISLER. An international organization of labor. There was the First, Second, and Third International. They come together to try to unify.

MR. STRIPLING. Mr. Chairman, this appeared in three different languages. In the foreword they have gone to great lengths to point out what a great weapon music is in the class struggle. It says [reading]:

We know of some very important historical examples when the song served as a mighty weapon for revolutionary agitation, such as the period of the Russian Revolution in 1917.

Its extreme importance was again demonstrated by the fact that about three-fourths of an editorial article in one of the first issues of Pravda in 1917 (issue No. 5) was devoted to the question of song. We read the following—

The quote from Pravda goes on to say that the workers sang the Internationale while behind barricades, and it was an inspiration, and so forth.

Here is another edition published in 1935 in the Soviet Union by the International Music Bureau, with the title in four languages, and it says "Workers of the World Unite."¹⁶

¹⁴ See appendix, p. 189, for exhibits 14-19.

¹⁵ See appendix, p. 189, for exhibit 20.

¹⁶ See appendix, p. 190, for exhibits 21 and 22.

[From Soviet Music, January 1934, No. 1, p. 112]

INTERNATIONAL COLLECTION OF REVOLUTIONARY SONGS

(Published by International Musical Bureau with MORT under the editorship of V. Ramm, Moscow Muzgiz, 1933)

The collection includes 13 revolutionary songs of the international proletariat translated into English, German, and Russian. Each song besides this is being published in its national language. Songs which have been arranged by the Soviet composers excluding those numbered 3, 4, and 11 were collected by the International Musical Bureau at MORT. Part of them have been copied by comrades of the revolutionary workers unions in the east and the west.

Isn't that the slogan of the Communist Party?

MR. EISLER. That was the slogan for a hundred years of the labor movement.

THE CHAIRMAN. Mr. Eisler, was your answer that it was not the slogan of the Communist Party?

MR. EISLER. Oh, yes.

THE CHAIRMAN. It is?

MR. EISLER. Yes. Also the slogan of many political groups. Not exclusively the Communist Party.

MR. STRIPLING. The slogan is well known, Mr. Chairman, as appears on many publications, and so forth.

In this particular edition, published in four languages, in Moscow, there appears another song by Hanns Eisler, entitled "Fifty Thousand Strong."

Did you compose that, Mr. Eisler?

MR. EISLER. Yes; I composed it in Berlin in 1930.

MR. STRIPLING. Would you refer to it as revolutionary music?

MR. EISLER. Absolutely. Revolutionary music is a little high hat for it. I would call it a song for labor.

MR. STRIPLING. Would it aid in the class struggle?

MR. EISLER. Pardon me?

MR. STRIPLING. Would your song aid in the class struggle?

MR. EISLER. I hope it was.

MR. STRIPLING. You hope that it was?

MR. EISLER. I hope it was.

MR. STRIPLING. You have also entertained that hope since you have been in the United States?

MR. EISLER. My songs are completely forgotten. This is really, I would say, a past affair.

MR. STRIPLING. Mr. Eisler, well, let's see whether it is forgotten.

I have here a song book, entitled "Red Song Book." This was published, prepared by the Workers Music League, with the hammer and sickle on the front, which you said was not a Communist organization, and they feature on the back your song, Comintern, by Hanns Eisler.¹⁷

I will read to the committee the words of the song.

MR. EISLER. A pleasure.

MR. STRIPLING. Would you like to read them?

¹⁷ See appendix, p. 190, for exhibit 23.

Mr. EISLER. You have a better pronunciation than I.

Mr. STRIPLING (reading):

Oh, you who are missing,
 Oh, comrades in dungeons,
 You're with us, you're with us,
 This day of our vengeance.
 No Fascists can daunt us,
 No terror can halt;
 All lands will take flame
 With the fire of revolt,
 All lands.
 The Comintern calls you,
 Raise high Soviet banner,
 In steeled ranks to battle.
 Raise sickle and hammer
 Our answer: Red Legions
 We raise in our might;
 Our answer: Red Storm Troops.
 We hunge to the fight.
 Our answer Red Storm Troops.
 From Russia victorious
 The workers October
 Comes storming reactions
 Regime the world over
 Were coming with Lenin
 For Bolshevik work
 From London, Havana
 Berlin and New York
 From London.
 Rise up fields and workshops
 Come out workers, farmers;
 To battle march onward,
 March on world stormers.
 Eyes sharp on your guns,
 Red banners unfurled,
 Advance Proletarians
 To conquer the world.
 Advance Proletarians.

Is this one of your little ditties that someone adopted?

Mr. EISLER. This song was written in 1926. This is a translation.
 When was the song printed here?

Mr. STRIPLING. Beg pardon?

Mr. EISLER. When was it printed here?

Mr. STRIPLING. This was published in 1932 in New York.

Mr. EISLER. In 1932 I was in Berlin. I am not responsible for literary translations. My song was written in Germany for a theater performance on the anniversary of the German revolution in 1918.

Mr. McDOWELL. Who wrote the words, Mr. Stripling?

Mr. STRIPLING. By Victor Jerome.

Mr. EISLER. In 1932.

Mr. STRIPLING. Other songs which appear in this issue are the Internationale, the Barricades, the Builders, Comrades, the Bugles Are Sounding, Solidarity, the Workers Funeral March, and others.

Mr. EISLER. Very beautiful melody there.

Mr. STRIPLING. I have another one here, Mr. Eisler, entitled "America Sings."¹⁸

Mr. EISLER. Yes.

¹⁸ See appendix, p. 190, for exhibit 24.

Mr. STRIPLING. That was published by the Workers Book Shop, 50 East Thirteenth Street, New York, N. Y., which is the official publishing house of the Communist Party. It has a foreword by Earl Robinson. Among the songs which are contained in *America Sings* are the Comintern, on page 11, Comrades, the Bugles Are Sounding, Internationale, Red Air Fleet, Red Flag, Rounds, Salute to Life, Scottsboro Boys, Solidarity Forever, and for some unknown reason the Star Spangled Banner, on page 5.

I have here, Mr. Chairman, an article entitled "The Revolutionary Musical Front," by G. Schneerson, which appeared in the Soviet Music No. 3 of May and June of 1933.¹⁹ It says:

The League—

Referring to the Workers League—

has published several mass songs * * * songs by Eisler and by Soviet composers which have been translated into the English language. * * * The American comrades have succeeded in getting into the movement a number of outstanding musicians and theorists. At the head of various organizations are the qualifying leaders and directors.

Great assistance in the matter of solving the greatest problem of theoretical courses is shown by a musical club called Pierre De Geyter in New York, organized by the league. The work in the club is being conducted by such great musicians as Prof. Henry Cowell, Charles Seeger, and others. The league has over 6,000 active members. A number of large choruses and orchestras make the league one of the strongest and outstanding factors in the International Musical Revolutionary front.

(The complete article is as follows:)

[From *Sovetska-ia Musyka*—Soviet Music, No. 3, May–June 1933, pp. 173–175]

THE REVOLUTIONARY MUSICAL FRONT

(By G. Schneerson)

During the existence of the International Musical Bureau with MORT (to November 1932) now known as MRTO, it has received a large number of letters, various informative material, musical publications, etc., characterizing the wide development of the international revolutionary musical movement. Deeming it necessary to devote a number of articles to the review of this material we wish to give just a brief review in this issue; that is, a summary of the letters which have been received by the International Musical Bureau from musical organizations and collectives and also from individuals. We want the reader to be able to picture for himself the part which music plays in everyday political struggle of the proletariat abroad and about those difficulties which the revolutionary musical unions experience in the creative and organizing fields.

* * * Socialistic construction of the Soviet Union and the success of the Soviet musical creation had a tremendous influence upon the development and growth of the international revolutionary musical movement. The Soviet mass songs and the old Russian underground revolutionary songs have succeeded in penetrating into all corners of the globe and have become popular and loved by the large masses of the working classes. It is necessary to point out the great interest shown by the comrades abroad in the Soviet musical culture. A great number of musical collectives, groups, and individual comrades express in their letters their desire to come to Soviet Russia so that they can with their own eyes see the tremendous success of socialistic construction in the country of all the working people, the U. S. S. R., and to get acquainted with Soviet music.

Most of the letters addressed to the International Musical Bureau are about the musical organizations, the questions of creating revolutionary musical unions and the growth and attraction into the movement of the large laboring masses. From the letters which we receive from Labor Musical League of America, we learn of the conditions under which the musical movement in the United States is progress-

¹⁹ See appendix, p. 190, for exhibit 25.

ing. Despite the difficulties in the matter of consolidation of numerous national musical unions (Jewish, Finnish, Polish, Hungarian, Czech, and others) which have developed their musical culture but have no social contact among themselves, the league has succeeded in uniting more than 15 of these national musical unions. For the first time in the history of the American revolutionary movement, at an entertainment given in memory of Lenin in New York, on January 22, 1931, a choir, or chorus, of 40 working people of different nationalities and languages sang. This had a great influence on the success of the league in the matter of uniting the separate national unions. At the present time, the choirs and orchestras of the league participate in all revolutionary demonstrations and meetings. The directors of the league—Comrades Adomian, Shafer, Atvel, and others—are constantly working on creating real revolutionary musical works. There have already been considerable attainments in this sphere. Comrade Shafer has created several large revolutionary pieces for choirs with orchestra. Among them are *October*, and *Not One Inch of Foreign Land Do We Want*. The presentation of these cantatas in New York in 1932 created a tremendous impression and has attracted the interest of the press.

The league has published several mass songs; one is *Stoi Na Strazhe* (*Be On Guard*) and *Golodnyi Pokhod* (*The March of the Hungry*), both by Comrade Adomian; and songs by Eisler and by Soviet composers which have been translated into the English language. Since December 1932, the league publishes its own organ, called *Rabocki Muzykant* (*The Laboring Musician*), a monthly journal containing information concerning the activities of the league. The American comrades have succeeded in getting into the movement a number of outstanding musicians and theorists. At the head of various organizations are the qualifying leaders and directors.

Great assistance in the matter of solving the creative problem of theoretical courses is shown by a musical club called *Pierre De Gexter* in New York, organized by the league. The work in the club is being conducted by such great musicians as Prof. Henry Cowell, Charles Seeger, and others. The league has over 6,000 active members. A number of large choruses and orchestras make the league one of the strongest and outstanding factors in the international musical revolutionary front.

* * * * *

Prof. H. Cowell, director of the musical division of the New School in New York, together with the Labor Musical League, organized a series of concerts of Soviet music in New York. At these concerts were rendered the second quartet of Miaskovsky, the first quartet of Mosolov, songs of Gnesin, Koval, and others. The rendition of the 12 symphonies of Miaskovsky in Philadelphia has incited quite an interest in the American musical public. From Paris they write us about the necessity of organizing a series of concerts of Soviet music under the direction of one of the best of French directors, Des Ormiers. All these facts indicate the need for a more secure cultural association with musical organizations abroad whose sympathy for the new trends of Soviet art has ripened.

The First International Musical Conference, which was called by the initiative of MORT in November 1932, has helped to show the real state of contemporary music in bourgeois countries. On the one side we have the crisis of contemporary musical culture in the West, its deterioration, and lack of ideas and creative powers of the bourgeois artists who are unable to oppose the destructive process of deterioration of capitalism; on the other side, we have the constant growth of workers' musical movements in all countries, which is conducted under the banner of class struggle. This is the general conclusion which we can make on the basis of the reports made by the delegates at this conference.

The significance of revolutionary music in the political struggle of the proletariat abroad, the huge scale of the movement, the great creative problems which confront revolutionary musicians in all countries, constantly dictate the need of realizing the international circle which would direct and unite the whole movement.

The International Musical Bureau, in connection with MORT, which was organized at the First International Musical Conference, has for its primary objective to create an international union of revolutionary musicians on the basis of experience of the existing organizations of MORT and MOPR. To create actual revolutionary musical organizations in all countries, to draw into our ranks the best representatives of the intelligentsia, to compose our own music, the music of class battles, should be our goal.

This is the organization which you autographed revolutionary greetings to?

Mr. EISLER. Sure.

Mr. STRIPLING. I have here, Mr. Chairman, the Soviet publication entitled "The International Theatre, No. 1, 1934."²⁰ On page 62 under the heading "News of the International Music Bureau," it states [reading]:

NEWS OF THE INTERNATIONAL MUSIC BUREAU

The International Music Bureau has received a number of letters from various musical and chorus ensembles of France and Alsace asking to put them in touch with the orchestras and choruses of the largest plants in the U. S. S. R.

The International Music Bureau has worked out, jointly with the cultural section of the Central Council of Trade Unions of the U. S. S. R., a plan for organizing such connections on a large scale.

Erwin Schulhof, the author of the musical interpretation of the Communist Manifesto, has composed a cycle of songs called Songs of the Revolution of 1917, which he proposes to perform during his next visit to the U. S. S. R.

The International Music Bureau has undertaken to work out musical broadcasting programs of international revolutionary subjects. It is to broadcast special concerts of revolutionary music four times a month through the Comintern broadcasting station.

The program will include the works of Eisler, Szabo, Schulhof, Adomian, Schaffer, and other composers.

Mr. STRIPLING. Here also is a copy of the International Theater, No. 2, 1932. On page 11 appears the following article:

THE REVOLUTIONARY MUSICAL MOVEMENT

In a number of countries the revolutionary musical movement is assuming ever broader forms and drawing ever fresh masses of workers and of the revolutionary intelligentsia into the ranks of the fighters for a class-directed art. This movement is especially strong in Germany, which has already produced a number of major revolutionary composers (Eisler, Folmer, Volpe, and others), in the United States Schaeffer, Libich, Adolnyan, and others; and in Japan, where many revolutionary songs have been composed, and where, notwithstanding the brutal persecution, there exists a union of proletarian musicians which carried on great work among the toiling masses of Japan and which has already published several books of revolutionary songs).

The workers' choirs and orchestras in England, France, Czechoslovakia, Switzerland, Alsace-Lorraine, Holland, and elsewhere have considerably developed.

The revolutionary musical movement now includes tens of thousands of workers in all capitalistic countries.

Music in the hands of the working class becomes an effective weapon in the struggle against the bourgeoisie. Not one big event, not one demonstration, meeting, etc., goes by without the singing of revolutionary songs or the appearance of a workers' choir or orchestra.

You never made any objection to their using any of your music, Mr. Eisler?

Mr. EISLER. Not at all. I made no objection if somebody wants to play my music.

Mr. STRIPLING. Mr. Eisler, when you were in Moscow in 1935 did you give out some interviews or write some articles?

Mr. EISLER. I think I gave interviews, as usual. Mostly ideas about Germany.

²⁰ See appendix, p. 190, for exhibits 26 and 27.

Mr. STRIPLING. I have an article here written by you, which appeared in *Sovetskoe Iskusstvo*, July 29, 1935, page 2, and it has your picture, and is printed in Russia.²¹ The title is "The Destruction of Art." I won't read it all. If you want it all read, I will be glad to do so.

You state [reading]:

Still, I am an optimist with regard to the future because I believe in the inexhaustible strength of the organized masses. The dark epoch of fascism makes it clear to each honest artist that close cooperation with the working masses is the only way leading to creative art. Only in a revolutionary struggle will an artist find his own individuality. * * *

Similar developments can be observed in America where the recognized composer, Aaron Copeland, has composed a mass song *The First of May*. An active role is also played in the workers musical movement by Henry Cowell, of San Francisco.

All these events, which only 3 years ago could hardly have been foreseen, show that for a real artist there is only one way in the field of art, the road toward revolution. It would not be long before there would not be left a single great artist on the other side of the barricades.

Revolutionary music is now more powerful than ever. Its political and artistic importance is growing daily.

Mr. Eisler, what do you mean by "on the other side of the barricades"?

Mr. EISLER. Will you repeat the title of this article?

Mr. STRIPLING. The title of it was "The Destruction of Art."

Mr. EISLER. By whom?

Mr. STRIPLING. By Hanns Eisler.

Mr. EISLER. No; I didn't destroy art. You can't criticize me there. I spoke on—I guess you can find it—how fascism has destroyed art.

The CHAIRMAN. I don't think that is responsive to the question.

What was your question, Mr. Stripling?

Mr. STRIPLING. I asked him what he meant when he referred to "on the other side of the barricades."

Mr. EISLER. I mean in Germany to fight against Hitler. That was my real belief.

(The entire article is as follows:)

[From *Sovetskoe Iskusstvo*, July 29, 1935, p. 2]

THE DESTRUCTION OF ART

MUSIC IN FASCIST GERMANY

(By Hanns Eisler)

In the field of music, fascism has not created anything original. The obvious decline of music in Fascist Germany is due to many reasons. Among the most important ones are (1) the expulsion of many great musical talents for political or racial reasons, and (2) the liquidation without exception of workers' musical organizations which in the past enriched musical culture by genuine examples of people's art. Finally—and this is of the greatest importance—fascism declared war to the finish on all advanced progressive and young movements in German music.

The musical life of the country has, however, not completely stopped. This would, incidentally, not have been in the interest of fascism. Although the propaganda value of music is smaller than that of other arts, like, for instance, the theater, movies, and literature, fascism still tries to exploit it for its own interest.

In order to characterize musical life in Fascist Germany, it suffices to mention that great artists no longer appear in concerts, and the young people, isolated

²¹ See appendix, p. 190, for exhibit 28.

from modern progressive movements, are in fact deprived of a chance to study seriously. The fight of fascism against genuine mass music has led to a nearly absolute domination of cheapness (Kitsch) which is the essence of the musical credo of fascism. Fascist composers are eagerly producing "real German" music which can be best characterized by the so-called Kitsch. At the same time, these musicians manage to keep themselves busy by such honorable deeds as the transformation and "change" of the works created by revolutionary musicians. They rob shamelessly not only musical works of secondary importance but utilize also our main works. The Fascists tried in particular to create their own version of my *Massnahme*, but they did not succeed in it because it is not so easy to separate the musical form from the deep social content which has defined it. Military music of a typical Prussian brand is offered in large doses, particularly on the air. It seems to the listeners that they are transported to a military camp.

Even if one could refer to some poor efforts toward a Fascist "unification" of the opera, it is impossible to note any positive result in this field. There were shown lately in Germany a few new operas, but not a single one of them was enthusiastically received, even by the most outspoken Fascist patriots. The new opera by Wagner-Régeny, *The Favourite*, the libretto of which was based on the writings of Victor Hugo, is a typical case of imitation, if not of a direct plagiarism, of the so-called "neoclassical" music which was cultivated by some groups of musicians prior to Hitler's rise to power. This opera certainly does not contain anything original. The same can be said, incidentally, about the last opera by Richard Strauss, *The Silent Woman*, which nearly caused a scandal because its libretto was written by a "non-Aryan," Stefan Zweig.

Thus, one can assert that all the trivial, vulgar, and banal elements have found their place in Fascist art.

Even such a great artist as, for instance, Hindemith, has not escaped the degeneration which became the fate of the whole artistic youth of Germany. His latest work, the symphony *Maisse der Maler*, shows him as a senile composer who produces extraordinarily weak works. This fact alone proves beyond any doubt that fascism can only degrade music as all the other arts.

The Fascists try hard to discover new musical forms which they could claim to be an exclusive part of Fascist art. They try to utilize the so-called classical heritage of the old Germans to which they add freely the mass works of revolutionary German composers. I have in mind the musical open-air festivals ("Ting Plätze") where the effort is made to re-create the old German plays.

Unable to create anything original, fascism brutally suppresses all kinds of experiments and is moving away from all modern art. Not only we, the revolutionary musicians, notice it, the best musical specialists of Europe and America only shake their heads sadly when people begin speaking about present-day German music.

An American bourgeois journalist, by whom I was interviewed in Holland, asked me whether Hitler was a musician. "Yes," I answered, "he must be an artist since he has succeeded in destroying in such a short time the highly developed musical culture."

Remarkable changes have taken place in Germany also in the field of musical theory. Prior to the Fascist upheaval leading musical theoreticians tried to apply the materialist method in their work. This was the result of appreciation of and of sympathy for the new ideology, which became the basis for the reshaping of one-sixth of the surface of the earth. However, this "low materialism" was replaced under Hitler by the most primitive idealism which caused the obliteration of the previously progressive musical science of Germany.

Still, I am an optimist with regard to the future because I believe in the inexhaustible strength of organized masses. The dark epoch of fascism makes it clear to each honest artist that close cooperation with the working masses is the only way leading to creative art. Only in a revolutionary struggle will an artist find his own individuality.

Revolutionary musicians in Fascist Germany are almost completely deprived of a chance to work. But the revolutionary musical movement is expanding and becoming stronger all the time. The leading artists of England, France, America, and Czechoslovakia are joining the revolutionary front one after another. One can quote many examples. A famous Czech composer is working on an opera, the libretto of which is based on the writings of Feodor Gladkov. An old French professor, Koechlin, has written an excellent work, a song *Liberate Thälman*. An English composer, Alan Bush, is taking part in the workers' musical movement.

Similar developments can be observed in America where the recognized com-

poser, Aaron Copeland, has composed a mass song, *The First of May*. An active role is also played in the workers' musical movement by Henry Cowell, of San Francisco.

All these events, which only 3 years ago could hardly have been foreseen, show that for a real artist there is only one way in the field of art, the road toward revolution. It would not be long before there would not be left a single great artist on the other side of the barricades.

Revolutionary music is now more powerful than ever. Its political and artistic importance is growing daily.

Mr. STRIPLING. The next matter, Mr. Chairman, I would like to introduce, is a translation of an interview with Hanns Eisler, which appeared in the *Evening Moscow* of June 27, 1935. This is quoting you, Mr. Eisler:²²

[From *Evening Moscow*, June 27, 1935]

AN INTERVIEW WITH HANNS EISLER

I left Germany after the Reichstag fire. Therefore, I have only second-hand information about the latest events in the musical life of Germany.

It is normal and logical that all efforts to promote the workers' musical movement are radically suppressed by the Fascist regime. There used to exist in Germany quite a large workers' singers union. There was also a community of workers' singers. Both were discontinued a long time ago. Not only were the workers' unions persecuted by the Fascists but also the leftist elements among the bourgeois composers. Even Paul Hindemith who, in view of the tragic shortage of people on the musical front, was hurriedly reinstated by the Hitlerites, has now lost their confidence.

Some time must pass before a young generation of second-class musicians can grow up who will satisfy the political and artistic expectations of Adolf Hitler. For the time being the leadership in the musical world of Germany is divided between Hans Pfitzner and the very old Richard Strauss.

Actually very little can be said about Pfitzner. His popularity was never very great and was always limited to Germany proper.

But Strauss was once great. That was very long ago. The scores which he is now composing do not add any glorious pages to the history of his creative art. Recently the first performance of his new opera based on a libretto by Stefan Zweig took place at Dresden. The permission to produce a play by Zweig, who is a Jew, in present-day Germany reveals the pressing desire (or necessity?) to compensate Strauss for his obedience. Alas, this seems to have been the only compensation for all the efforts of the composer. His opera had a dubious success.

In London, where I went directly from Germany, I composed a big symphony in which I tried to solve a number of purely technical musical problems. There, an outstanding French conductor, George Ansermet, conducted the first performance of my symphony. I intend to follow up this musical work by a new symphony dedicated to the victims of the Fascist terror.

In England I also prepared the music for the popular film *Abdul-Hamid* (or *the Fall of a Dictatorship*); it deals with the struggle of young Turkish revolutionaries with the feudal lords. In spite of the subject, which was taken from a history book, an alert spectator could easily detect a definite similarity between the old Turkish dictator and the present Chancellor of the Reich. The film was produced by Grunet and had a great success. The main role of Abdul-Hamid was brilliantly performed by the famous actor Fritz Kortner.

Among my works composed in London, I wish to mention further the music to the play by Ernst Toller, *Turn Off the Lights*, dealing with the revolutionary uprising of the German sailors in 1917, and also a small volume of revolutionary songs. I believe that the best pieces in this volume are the *Anti-Military Song* and *The Song of the United Front*.

From England I proceeded to America. I have most pleasant recollections about this trip. First of all, I succeeded in giving there a great number of concerts for the benefit of political prisoners. Secondly, I gave a whole series

²² See appendix, p. 190, for exhibit 29.

of popular lectures on German fascism. These lectures were always attended by very large audiences. For instance, in New York about 5,000 people listened to the lectures. In Hollywood and Los Angeles the audience consisted not only of workers but of numerous representatives of the progressive intelligentsia.

The reactionary press of Los Angeles started a severe campaign against me and demanded my deportation back to Germany. Of course, the authors of the articles agreed with my views with regard to the modern German culture. They were prepared to protest together with me against the so-called Kitsch in German music (sweet and sentimental banality). "These ideas are quite sound," wrote the newspapers, "They should be used, but the author * * * must be sent back to Hitler."

I am extremely pleased to report a considerable shift to the left among the American artistic intelligentsia. I don't think it would be an exaggeration to state that the best people in the musical world of America (with very few exceptions) share at present extremely progressive ideas.

Their names? They are Aaron Copland, Henry Cowell, Dr. Riegger (the best musical educator), the outstanding musical theoretician Professor Seeger, the greatest specialist on modern music, Slonimsky, and finally the brightest star on the American musical horizon—the greatest conductor, Leopold Stokowski. Recently he even dared to play the Internationale at a philharmonic concert. This nearly caused an unheard-of riot which, however, was stopped in time.

Before my departure from America, I was offered a chair of composition and theory at the New York Arts Institute. I gladly accepted this offer because I hope to contribute something toward the development of the young American musical movement. I shall return to New York about September 1. Previously I must visit the German writer, Bert Brecht, in Denmark with whom I am collaborating on a musical drama on the salability of bourgeois art and scholarship.

A telegram from Moscow from the Musical Bureau of the International Union of Revolutionary Theaters asked me to attend the festival at Strasbourg. About the time I spent at Strasbourg and at Reichenberg, at a Czech international festival, I have spoken already to the representative of your paper on the first morning of my arrival here.

Finally, I would like to tell you about my impressions of Moscow where I have been invited to come for the reorganization of the Musical Bureau of the International Union of Revolutionary Theaters.

I have not been here for 3 years. I did not recognize Moscow. To start with, I crossed the proletarian capital on a subway. Surely this is the best metro in the world. What exemplary discipline and what shining cleanliness!

And on the earth's surface * * * I was most of all impressed by the expression of happiness, gay wit, and rather joyful carefreeness on the faces of the Soviet citizens. In the capitalist world such an expression has been long ago obliterated from the faces of people who are submerged in worries about tomorrow. You cannot understand the feelings of a foreigner looking at Soviet citizens who have before them such grand possibilities and who are assured of such a glorious future.

I shan't fail to report in America everything I have seen here. The workers there and the progressive intelligentsia are watching with great attention and full sympathy each new step in the life of your great homeland. This sympathy is by no means passive. I shall never forget the terrific impression made on me by two grandiose meetings in New York organized in protest against the fallacious attacks by Hearst on the U. S. S. R. Over 35,000 people attended the meetings. The workers, men and women, sacrificed their hard-earned money, offered rings and earrings, and shouted "Print newspapers against Hearst."

At that time I wished very much that some great artist would create a picture which would forever tell the story of this act of a strong international solidarity.

The CHAIRMAN. Will you come up here a minute, Mr. Stripling, please?

(Pause.)

Mr. STRIPLING. Mr. Eisler, did you write a song entitled "In Praise of Learning"? ²³

Mr. EISLER. Yes.

²³ See appendix, p. 190, for exhibit 30.

MR. STRIPLING. I will read the words to this one verse. It says:

Learn now the simple truth,
You, for whom the time has come at last;
It is not too late.
Learn now the A, B, C,
It is not enough, but learn it still.
Fear not, be not down hearted,
Begin, you must learn the lesson
You must be ready to take over
You must be ready to take over
Learn it, men on the dole.

What do you mean, "You must be ready to take over"?

MR. EISLER. This song appeared in a play which I wrote the music for. It was written in 1929 in Berlin. The play was based on the famous novel by Maxim Gorki. This theater piece was sung by workers on the stage. Again, this song became popular to a certain extent. It was in this historical play about the struggle of the Russian people from 1905 to 1917.

THE CHAIRMAN. You didn't mean that you must be ready to take over now, did you?

MR. EISLER. Pardon me?

THE CHAIRMAN. I say, You don't mean you must be ready to take over now?

MR. EISLER. I can't understand your question.

THE CHAIRMAN. You said that it applied to Germany.

MR. EISLER. Not only to Germany. It was a show, a musical song in a show. It applied to the situation on the stage.

THE CHAIRMAN. Would it also apply here to the United States?

MR. STRIPLING. It was shown in the United States. He wrote the music for it in the United States.

MR. EISLER. No; I wrote the music in 1929 or 1930 in Berlin. It was produced in Copenhagen, in New York—I guess in Paris. It was a theater play.

THE CHAIRMAN. It doesn't apply only to Germany but applies to France and Italy and the United States?

MR. EISLER. It is from a quotation by Maxim Gorki, the famous writer. The song is based on the idea of Maxim Gorki. This song applies to the historical structure of the Russian people from 1905 until 1917.

THE CHAIRMAN. Would you write the same song here now?

MR. EISLER. If I had to write a historical play about Russia, I would write it—and the poet would let me have the words.

THE CHAIRMAN. Would you write the same song here in the United States now about "You must take over" here in the United States?

MR. EISLER. No.

THE CHAIRMAN. You have changed your opinion, then?

MR. EISLER. No; but I am a guest, a stranger here, and the labor movement can handle their affairs themselves. That is what I mean.

MR. STRIPLING. Mr. Eisler, did you ever send greetings to the Soviet Union?

MR. EISLER. Sure. I don't remember but there must be some.

MR. STRIPLING. Soviet Music of October 1936, No. 10, page 6, has an article Musicians Abroad on the Subject of Stalin's Constitution.²⁴

²⁴ See appendix, p. 190, for exhibit 31.

You don't hate Stalin, Mr. Eisler?

Mr. EISLER. Pardon?

Mr. STRIPLING. Do you hate Stalin?

Mr. EISLER. No.

Mr. STRIPLING. Why did you tell the immigration authorities that you hated Stalin?

Mr. EISLER. I cannot remember the fact. If I really made such a stupid remark I was an idiot.

Mr. STRIPLING. You said, "I hate Stalin just as I hate Hitler" when you were before the immigration authorities.

Mr. EISLER. I am surprised. There must be a misunderstanding, or it is a completely idiotic, hysteric remark.

The CHAIRMAN. Do you remember?

Mr. EISLER. I don't remember the remark. I think that Stalin is one of the greatest historical personalities of our time.

Mr. STRIPLING. This message, Mr. Chairman, refers to Stalin's Constitution, by Hanns Eisler, and reads:

Hearty greetings to the constitution of the great socialistic state, based on the great principle "From each one according to his abilities—and to each one according to his labor." It is almost impossible to encompass with thought all those huge results which your constitution will have for future instruction of the new socialistic culture. Each success for the Soviet Union is success for the international proletariat. It gives us courage in struggle and binds us to give all our strength in the defense of the Soviet Union.

That was written in 1936 after you had been in this country.

Mr. EISLER. Did I write this?

Mr. STRIPLING. It says "By Hanns Eisler, hearty greetings."

Mr. EISLER. I cannot remember. It is quite possible that I did it. But where was it written?

Mr. STRIPLING. It appears in the Soviet Music.

Mr. EISLER. I see.

Mr. STRIPLING. October 1936; No. 10.

Mr. EISLER. Then I wrote it, naturally.

Mr. STRIPLING. The Great Soviet Encyclopedia, Mr. Eisler, of Moscow, published in Moscow, 1933, volume 63, columns 157-158, gives your picture and says:²⁵

Hanns Eisler—born 1898, composer, Communist, is at the head of the proletariat movement in German music.

Is that an error on the part of this Great Soviet Encyclopedia to refer to you as a Communist?

Mr. EISLER. It is an error. They call everybody Communist which was active like me. I admitted, gentlemen—I am not afraid about anything—I would admit it. I have no right, especially today, in which the German Communists in the last 15 years have sacrificed so much, and fought, too—I would be a swindler if I called myself a Communist. I have no right.

The Communist underground workers in every country have proven that they are heroes. I am not a hero. I am a composer.

(The matter referred to is as follows:)

[From the Great Soviet Encyclopedia, Moscow, 1933, vol. 63, columns 157-158]

Hanns Eisler.—Born 1898, composer, Communist, is at the head of the proletariat movement in German music. He received his musical education in Vienna

²⁵ See appendix, p. 190, for exhibit 32.

from 1918 and 1920 to 1925 with A. Schoenberg. He also participated in organization of choruses in Austria and Germany. Since 1927 Eisler has taken an active part in the organization and direction of the proletariat musical movement in Germany. * * *

The CHAIRMAN. Mr. Eisler, on that point, you said that you made application—

Mr. EISLER. Yes.

The CHAIRMAN. To become a member.

Mr. EISLER. Yes.

The CHAIRMAN. And that application was accepted.

Mr. EISLER. Yes.

The CHAIRMAN. How long were you a member?

Mr. EISLER. I tell you, I remember I made this application around January or February in Berlin. I went, it must have been March or May, 1926, to Paris, and forgot about the thing; never attended a political meeting. I stick to my music. I don't know about politics.

The CHAIRMAN. For how many years were you a member of the Communist Party?

Mr. EISLER. I was not really a member. I didn't pay the membership dues. I was not active in the political organization of the Communist Party.

The CHAIRMAN. You admitted you made an application to become a member of the Communist Party.

Mr. EISLER. 1926; in Berlin.

The CHAIRMAN. You admitted that you had been accepted.

Mr. EISLER. Yes.

The CHAIRMAN. I want to know how long you were a member.

Mr. EISLER. Mr. Chairman, since I went immediately to Paris and came back in the fall, to Berlin—

The CHAIRMAN. That is all right. How many years?

Mr. EISLER. No years.

The CHAIRMAN. How many months were you a member?

Mr. EISLER. Technically, maybe for a couple of months.

The CHAIRMAN. Two months?

Mr. EISLER. Look, Mr. Chairman, if you join a union and don't pay union dues and don't participate in union activities—I am automatically suspended if I do that.

The CHAIRMAN. You said before that you withdrew as a member.

Mr. EISLER. I dropped out.

The CHAIRMAN. You dropped out. How long a time was it between the time you made application and were accepted and the time you dropped out?

Mr. EISLER. I made application—

The CHAIRMAN. Wait a minute. Was it 2 months?

Mr. EISLER. I cannot state. I would like to answer it.

The CHAIRMAN. Do you think it was 2 months?

Mr. EISLER. I cannot say so.

The CHAIRMAN. What is your opinion?

Mr. EISLER. My opinion is that when I came back to Berlin again—I don't really join up, you know—and I lived my life as an artist.

The CHAIRMAN. You have already admitted that you did—

Mr. EISLER. You have to pay your dues. I don't.

The CHAIRMAN. Would you say 2 months was a fair assumption?

Mr. EISLER. I wouldn't say so.

The CHAIRMAN. How long, then? What would you say would be a fair time?

Mr. EISLER. I couldn't say.

The CHAIRMAN. What?

Mr. EISLER. I couldn't answer the question. I explained.

The CHAIRMAN. How did you withdraw, by the way?

Mr. EISLER. The very simple thing that I didn't join, really, a political organization of the Communist Party in Germany; I didn't pay my membership dues, and I was automatically suspended.

The CHAIRMAN. You were suspended?

Mr. EISLER. Automatically.

The CHAIRMAN. Automatically. When was that?

Mr. EISLER. That must be in 1926; end of 1926.

The CHAIRMAN. End of 1926?

Mr. EISLER. '26; yes.

The CHAIRMAN. You joined when?

Mr. EISLER. January 1926.

The CHAIRMAN. That is all.

Mr. STRIPLING. Mr. Chairman, I don't think there is any question about whether Mr. Eisler is a Communist or not. The point of the committee putting all of this material in the record is to show that Mr. Eisler was permitted to go in and out of this country time and time again when the immigration laws of this country say a Communist shall not be permitted in this country.

Mr. EISLER. I told you before that my relations to the Communist Party was such a loose thing—loose thing. I will never admit, for the German Communists, not only for them but for all the fighting people that fought against Hitler, my deepest respect and sympathy. It doesn't mean I am a politician—because I don't understand much about politics.

The CHAIRMAN. You have already admitted that you were a Communist for almost a year.

Go ahead, Mr. Stripling.

Mr. STRIPLING. The Soviet Government, the Comintern, wouldn't invite a person to come to Moscow to reorganize the International Music Bureau if that person wasn't a Communist, do you think, Mr. Eisler?

Mr. EISLER. We were refugees. We all stick together, regardless of our political beliefs—details of our political beliefs. We stick together. It was not even possible in 1933 to join the Communist Party. This was a very fighting organization. They wouldn't accept a composer or a fool like me.

Mr. STRIPLING. Mr. Chairman, I have next the issue of International Literature, published in Moscow in 1933. It is an issue issued in January and carries the title "1933-34."²⁶ It has an article by S. Tret'yakov, entitled "Hanns Eisler: Revolutionary Composer—a Soviet Writer About a German Musician."

You are referred to, Mr. Eisler, throughout this article as a comrade, "Comrade Eisler."

Mr. EISLER. Yes. That is usual in the Soviet Union. You don't call a man "mister."

²⁶ See appendix, p. 190, for exhibit 33.

Mr. STRIPLING. He says [reading]:

Eisler sits down to the piano. He pats it with the palms of his small hands like a child pats the water in its tub. He doesn't pedal; he stamps the pedal as if it were a vicious thing. He breathes loud in rhythm with the march. His voice is hoarse and passionate. * * *

"Eh, hosts, we are your guests.
Unasked we're here.
Into our bones you pressed
Your crutches dear.
You said: False limbs are best—
And hand and foot surpass.
You said: Blind folk in the dark
Push better than the rest.
No matter. Let the other foot
Be also torn away,
But to the bosses' necks
Our hands will find the way.
An army of stumps we are,
On wooden claws that ply.
And standing we bring news—
The world October's night."

That is not like "Open the Door Richard," Mr. Eisler?

Mr. EISLER. Pardon me. I didn't write this. This is a writer that writes about me.

Mr. STRIPLING. Here is a direct quote—

Mr. EISLER. What book is that?

Mr. STRIPLING. International Literature, published in Moscow, in 1934, a feature article about Hanns Eisler [reading]:

"These choruses," says Eisler, "are not just musical compositions performed for listeners. They are a particular kind of political seminar on problems of party strategy and tactics. The members of the chorus work these problems out, but they do so in the easily remembered and practiced form of a chorus singing. We build this play not for concerts. It is only a method of pedagogic work with students of Marxian schools and proletarian assemblies. * * *

Thus Communist music becomes the heavy artillery of the battle for Communism. * * *

Mr. EISLER. He has written his interview and he does it in his own way. It is not an article by myself.

(The matter referred to is as follows:)

[From International Literature No. 5, 1933-34, pp. 113-118]

HANNS EISLER: REVOLUTIONARY COMPOSER

(By S. Tretyakov. A Soviet writer, about a German musician)

(This article was written after a visit to Germany just preceding the Hitler regime)

"Neue Welt," The New World, a large concert hall. The public is going forward in a mass. Active natures push forward, to progress some thirty steps in a quarter hour. Passive natures act as ballbearings to two streams, in and out going. The traffic does not demolish the bearings. Elbows are pressed to sides. Feet take care of the neighbor's shoe shine. The most delicate excuses accompany each poke in the ribs.

That means, this is Germany.

Men's necks are encompassed by stiff collars, but the fingers show labor, many nails are broken. The trousers show a pressed crease, but they are old. The shoes show wear, are shabby. The faces show an unhealthy skin, are grey, the foreheads—prematurely furrowed.

This is proletarian Germany.

In the corridors stand determined looking figures. The collars of their green shirts open at the neck, the pose—a dare! From black hat, sailor types, to varnished chin.

At the gate, the black varnish of *Shuppo* napes, as Berlin policemen are called.

At booths in the corridor—books: Fadeyev's *Nineteen* (the German title of *Debauché*), Ehrenburg, Reisner. On a cover, the familiar profile of Ludwig Renn. A hand stretches out over heads to take a new issue of *Worker's Theatre*. A voice shouts: "*Moskau Rundschau*."

There two friends are saying goodbye to each other with fists raised to their shoulders.

I turn to one:

"*Sagen Sie * * **"

He pricks his ears severely: "*Warum sagst du 'Sie'?*"

My companion intercedes:

In Moscow even communists often address one another so.

The young fellow turns round flashing a KIM button.

This is communist Germany. An entertainment for the benefit of the striking iron workers.

The chairman has on a blue shirt, wears no coat.

The orchestra is conducted by a man with an accordion.

The red spokesman—the German Blue Blouse is presenting a number in which physical culture movements are interwoven with demonstration shouts. After the Blue Blouse—readers, dancers. Then the chairman announces two names.

Bush and Eisler.

The names are met by the thunder of hands gone mad. A noise of applause as if elephants had stampeded in brushwood. The newsboys are silent. The vendors from the booths stretch their necks. Leaning on the backs of those before them, columns bend forward to have at least a view of the stage.

The singer Bush. Again coatless. Hands in pockets. An air of independence. That's how young German workers like to stand and look laughingly at the gentleman in a top hat, a little hard of breath, who tries, somewhat alarmed, to hurry past them in order to ring at the front entrance of his house where an enameled plate reads: "Entrance for ladies and gentlemen only. Servants and messengers use the back door."

Nothing about Bush recalls the full dress of the singer, the starched shirt, or the roll of notes in hand.

At the piano a little gnome, with a big head dazzlingly bald, and trousers that fall in accordion folds to his feet.

Hans Eisler, the composer of the songs Bush will sing.

I have never heard such diction and phrasing as Bush gives. Not a word is muffled by the melody. It is hardly clear at first whether it is a song or just an intimate talk, an ironic tale making fun of the enemy.

For instance, a song about the naive Negro Jim who wants to know why there are two compartments in a car: one for whites—another for blacks. Or another one with the melody tender as a sentimental romance, with all the naïveté of a little Gretchen with tightly plaited hair—and the audience sputtering with laughter, because the song is about a June radish, red on the outside and white throughout, and only the last couplet reveals that the radish—is the Social Democrat.

There is a song of the English striking miners. A threatening song. At once a march and a warning around the words of a genuine miners song.

The song of an unemployed. Exhausted, worked out, sucked out of life blood and disillusioned to the limit, shouting ready for a last explosion when he will tear out cobblestones from the pavement with his fingers. And in the midst of this cry, a parody on a sentimental school song.

The irony is not only in the words—it is in the music. There is a song about Christmas, where the church choral is turned into a brazen, self-satisfied howl, recalling the caricatures of Grosz where the average respectable German is shown as the limit of meanness.

A song of philanthropists with the chorus: "*Yes, this is the pfenning, but what has happened to the mark?*"

And the threatening, final shout: "*Fight!*"

Bush and Eisler come out to bow, go away and come again to bow. Until tired of going they render another song.

The workers ask for their favorite songs. The call for *Seife* (*Soap*) is heard oftenest.

Before the 1927 elections, the Social Democrats distributed cakes of soap with the words "Vote for S-D" stamped on them. Comrade Eisler wrote the little song then with the ironic chorus of Social Democrats singing:

We work up suds,
And soaping well
We wash our hands of everything.

To soap well, in a figurative sense, means to deceive cleverly in German.

Eisler is famous in two ways: Bush-Eisler, as a workers' vaudeville pair; Brecht-Eisler-Dudov, as a dramatic group consisting of the dramatist Brecht, the composer Eisler, and the producer Dudov.

Going to visit Eisler with Dudov, I already knew that he is terribly Bohemian—will promise anything and promptly forget, will lose his manuscripts, but there is a man in Vienna, called Ratz, who carefully collects every line written by Eisler, systematizes, stores, and publishes.

I found out that Eisler's march *Red Wedding* had a circulation, in phonograph records alone, of 40,000 and that the march has become the militant song of those going to demonstrations and on barricades not only in Germany but also in Austria, Denmark, Czecho-Slovakia, Holland, Switzerland.

From wide clean avenues, we turned off into narrow crooked alleys of old Berlin. We found our way through yards and gates in stone fences on which in sharp competition *Rot Front* and *Heil Hitler*, the five pointed star and the swastiska, shouted at each other—traces of the recent election campaign.

The entrance to Eisler's rooms was closed. Although we had called him on the telephone before, he had evidently forgotten. We started to whistle the tune of *Red Wedding* loudly to call his attention on the fourth floor, to the fact that we had arrived.

It was cold autumn already. Through the closed window we could hear, in answer to our whistle, a Bach fugue.

If Hans has immersed himself in the piano you can be sure he will not hear a steam siren blown in his very ears.

We listened to Bach for a long while and continued to whistle until we hit some kind of pause.

Eisler looked at the music tenderly and extolled Bach. He was trying to find in him an ally in his struggle for a chorus in which the entire audience joins, instead of the contemporary practice of the stage performance and passively listening audience, a chorus of a high cultural order which welds people together, unites them in a common rhythm and one emotion—this Eisler was seeking in those days when the church was cultivating the chorus and drew the genius of the time to its aid.

The concert as musical amusement was obnoxious to Eisler from the start. From the beginning he used the stage to ridicule and sarcastically mock the melodic trance of the public, their philistine love of the sentimental and pathetic, known in German as *kitch*.

"You want to know what *kitch* is?" asked Eisler.

"I'll explain. Here is your Russian *kitch*."

And in a funny shaking voice he sings the melody of the *Volga Boatman*, and then another song, and to demonstrate more effectively its quality of *kitch* he sat down at the table, rested his head on a fist and with the other hand grabbed an imaginary glass of whiskey.

In 1925 he already put to music a series of newspaper clippings: *A Marriage Ad*. *A Children's Song of a Little Girl who Lost Her Nose*. *Ad of Dogs for Sale*. There were performers, as is customary at bourgeois concerts, in full dress and decollete, and then there was a scandal because in the perfumed concert hall the stench of the decaying scums of the capitalist city spread from these newspaper channels.

Eisler's journalism appears not only in the text. His music is not merely an accompaniment. It is a sounding blow to bourgeois canons of sentimental song, naive tune, pompous march, because life has turned ugly and has hidden its mean mug in its tail.

Eisler's music is not illustrative. Quite the reverse, it is often opposed to its text producing a sarcastic effect.

There are protests all over Germany against the infamous 218th paragraph prohibiting abortions. Forty thousand female corpses, the victims of illegal abortions, is the yearly score.

Eisler writes to the words of Brecht a dialogue song of a working woman begging a physician, who stands strictly by the law, to perform an abortion:

You will an excellent mother make
For our industry's sake.
That's what your womb is for.
But then you should be—hep—
Must watch your step.
Enough—the law's the law.
Bear—and fool around no more.

This chorus is in the rhythm of a careless dance and the staid figure of the Herr Doctor in soup and fish steps out in the shameless steps.

Eisler sits down to the piano. He pats it with the palms of his small hands like a child pats the water in its tub. He doesn't pedal, he stamps the pedal as if it were a vicious snake. He breathes loud in rhythm with the march. His voice is hoarse and passionate:

Eh, hosts, we are your guests.
Unasked we're here.
Into our bones you pressed
Your crutches dear.
You said: false limbs are best—
And hand and foot surpass—
You said—blind folk in the dark
Push better than the rest.

In the neighboring room a clock ticks and the neat housewife, accustomed to the musical bedlam of her boarder (up to 11:30 when her husband goes to bed), brings in three cups of coffee which she serves on a low table. The surface of the coffee trembles as Eisler marches on with his cripples.

No matter. Let the other foot
Be also torn away—
But to the bosses' necks
Our hands will find the way.
An army of stumps we are
On wooden claws that ply.
And stamping we bring news—
The world October's nigh.

Eisler rises from the piano. He feels good. Like after a bath. His bald head shines. He tells how hard it is to work in one of the most backward branches of the cultural movement of the German proletariat—in the chorus circles. And he, Eisler, is the leader of the musical opposition.

Social Democracy has for forty years drilled the German worker in choral song which was to have occupied his leisure and raised him out of his grey and monotonous life. In 1927 workers' choruses performed Beethoven's solemn mass and the Social Democrats were triumphant and the Christian Socialists, Catholic and Lutheran priests hugging themselves: Let it be Beethoven—but it is a mass just the same, church singing, whose esthetic charm is after all very close to a religious hypnosis.

The first communist songs broke into the Social Democratic concerts. Their programs were sentimental, sweetly ribald and on rare occasions vaguely revolutionary.

Forward, forward, toiling masses.

The communists, Eisler and his group, brought new, burning subjects to these concert stages. The songs became concrete and the musical quality of the new programs so high that after the very first communist concert in 1929 there came a stream of petty bourgeois fellow-travelers.

But the sealed cans of the concert hall were capable of muffling even communist song. Is it not strange that Eisler's song beginning with the words: *Sing on streets* should be sung indoors systematically? The communist song could not stand this long and came out on the streets in demonstrations, strikes, and from the very first it was evident that songs which sounded well on the concert stage were ill suited to the open air. There it was in the sway of the musical turn of phrase and the tastes of megalomaniacs. On the streets, it had to be

simpler, rougher, easier to learn, in rhythm with the marching step. But coming out on the street, the song went into a "left deviation," declared the hall banned—and this played right into the hands of reformist song.

So, correcting its error, communist song returned to the concert hall keeping its open air rhythm and the concreteness of its militant subjects. Thus the didactic play originated, of which the first sample was *Highest Mede* written by Brecht, music by Eisler, produced by Dudov.

Highest Mede is the staging of a mass trial. It is the choral rendering of a trial before the control commission which gives its decision upon the report of four underground agitators who were compelled, for the sake of the cause, to do away with a fifth one, who, too weak and undisciplined, put the cause of the party in danger.

The chorus not only puts questions to the reporting communists. It also sums up its opinion in choruses, one of the best of which is *Hail the Party*:

The individual has two eyes,
The Party has a thousand eyes.
The individual knows his moment,
The Party days and years embraces.
The Party sees the peoples of the Earth
The individual only his own block.

"These choruses," says Eisler, "are not just musical compositions performed for listeners. They are a particular kind of political seminar on problems of party strategy and tactics. The members of the chorus work these problems out, but they do so in the easily remembered and attractive form of chorus singing. We built this play not for concerts. It is only a method of pedagogic work with students of Marxian schools and proletarian assemblies."

On a special day the four agitators appear and demonstrate before the chorus in consecutive stages the way things happened. They don half masks, yellow, with Chinese eyeholes, throw a rope over their shoulders and there is a group of Chinese coolies singing its barge hauler's songs, while the soft hearted comrade forgets all about agitating and runs, instead, to put stones under the slipping feet of the hauling crew.

The agitation comes to naught. The foreman gets the others to quarrel with the comrade. The four comrades explain the mistake to him. The chorus sings a song—a fugue on a quotation from Lenin:

Wise is not the one that made no errors,
Wise the one that knows how to correct one.

Unlike the street song, the didactic play does not limit itself to primitive melody. It draws upon all the mastership of the composer and the entire technical armory of the modern concert. The play put anew the question, so recently ridiculed, of a broad canvas, only the canvas is not used as a screen for throwing on it figures of the imagination, but as a path that leads to communism.

The play intends to transform people. It is a process of revaluating the world. This is the slogan of the proponents of the didactic play.

Thus communist music becomes the heavy artillery of the battle for communism.

Eisler's songs and melodies, like the first transient flames of a grand conflagration, flare up now in the hall, now cutting in on the gayety of the march in the streets, now in the classroom. And here men in lacquered helmets are already running, trying to put the fire out by means of rubber clubs, put them out by means of hooves of police horses. Remember that *Red Wedding* was written to the order of one of the agitprop troupes. These agitprop troupes and their entire repertory are strictly forbidden in Germany.

On a Berlin street I once saw how a big heavy guy in a green uniform and pince-nez tore into a group of small children, scattered them, slapping their cheeks. He slaps their cheeks and pulls their ears to put out the flame of an Eisler song the children had started to sing.

Brecht-Eisler-Dudov made a film *Coulet-Vampe* about the unemployed who settled in tents on the outskirts of the city and the great lesson of solidarity among the workers.

Whose street—this street?
Whose world—this world?

the militant song of the film asks, and ends:

—But don't forget—Solidarity.

The film was first cut, mutilated, then altogether prohibited.

Eisler writes choruses about unemployed, about *Murder of a Peasant Revolution*, but in one of these choruses are the words:

Place the red roosters
On monastery roofs.

Hence—Prohibited.

Eisler makes the music for the film *Nobody's Land*. But in the film there is a chorus:

Worker and farmer, arm, grab your guns,
Keen the proletariat's bayonet * * *

Hence—Prohibited.

Eisler visited the U. S. S. R. He went to Magnitogorsk and noted the songs of the migrating Cossacks, new songs, in which the word *magnitka* already figured, he saw how young communists build their blast furnace, and how a city grows up where yesterday blank fields stared.

He was thus preparing to write the music for Evens' film *Magnitostroy*.

I remember an evening at the hotel Novo Moskovskaya. From the window the frozen Moscow river and the lights of the Kremlin could be seen. Eisler was walking about the room steering away from the gilt bentwood chairs. He was excited—only a half hour ago he finished a song. The trousers fell in accordion folds down to his heels. He sat down to the piano and, unbelievably distorting the Russian, sang in this language:

Urals, Urals!
Iron ore watch.
Urals, Urals!
Steep is mount Atac,
By the Party's orders:
Pig iron must be got, must be got!

The sole hammers at the pedal. The hands strike the keys. The voice hoarsely catches:

And the Komsomol has answered:
The blast furnace is hot.

In time to feet and hands, he violently shakes his head demanding that we join in. And together, in one chorus, to the consternation of the hotel management, we sing the concluding lines:

The lapse and shady blades
We fought with brigades,
Built and now erected stands
Magnitostroy.

Mr. STRIPLING. Did you write the music for a play *Die Massnahme*?²⁷

Mr. EISLER. Sure.

Mr. STRIPLING. Would you describe it to the committee? Describe to the committee the plot.

Mr. EISLER. This play goes back to an old Japanese play and was written by a German writer. I wrote the music to it. Three or four men are involved in organizational struggle. That is the general tone of the play. It is really a condensation of an old Japanese play. It was written in 1929 in Germany.

Mr. RANKIN. May I ask what time you are going to recess?

The CHAIRMAN. We will recess in just a few minutes, and will reconvene at 2 o'clock, at which time Mr. Sumner Welles will be the first witness.

²⁷ See appendix, p. 190, for exhibit 34.

Mr. RANKIN. I have a conference with the Red Cross in regard to relief for the stricken areas along the Gulf coast at 1 o'clock, and I may not get back by 2, but I will get here just as soon as I can.

Mr. STRIPLING. Mr. Eisler, you—

Mr. EISLER. The play was written after an old classic Japanese play. I have forgot the name. It was just brought up to date by the writer, and was a symbolic philosophical play and that is all.

Mr. STRIPLING. It dealt with party strategy?

Mr. EISLER. Yes.

Mr. STRIPLING. It had to do with four young Communists, did it not?

Mr. EISLER. Yes, sir.

Mr. STRIPLING. And three of the Communists murdered the fourth one because they felt he would be a menace to the cause; is that correct?

Mr. EISLER. Yes.

Mr. STRIPLING. That is the theme of it?

Mr. EISLER. Yes.

Mr. STRIPLING. We won't go into it further.

When the immigration authorities questioned you about this play do you remember what you told them?

Mr. EISLER. I think that I wrote the music to the play.

The CHAIRMAN. You said it was just a play?

Mr. STRIPLING. When questioned about it Eisler referred to the play as an expedient and stated it was not communistic in nature. The real title of the play is "Disciplinary Measures"; isn't that right?

Mr. EISLER. Yes; it is a poetical philosophical play.

Mr. STRIPLING. Mr. Chairman, I don't think we can finish with Mr. Eisler before lunch. We will have to call him back to the stand.

The CHAIRMAN. All right; we will recess until 2 o'clock.

Mr. Eisler, you will take the stand at 2 o'clock again.

Mr. EISLER. Yes.

The CHAIRMAN. Thank you.

(Whereupon, at 12:45 p. m., the hearing was recessed until 2 p. m.)

AFTERNOON SESSION

The CHAIRMAN. The meeting will come to order.

Mr. Eisler, will you take the stand?

Mr. Stripling.

Mr. STRIPLING. Mr. Chairman, I ask that Mr. Joseph Savoretti also take the stand. But I want Mr. Eisler to remain on the stand.

Mr. Savoretti.

The CHAIRMAN. He is going to be the first witness, then?

Mr. STRIPLING. Mr. Eisler, will you withdraw, please?

Mr. Eisler. With pleasure.

The CHAIRMAN. Mr. Savoretti is going to be the first witness?

Mr. STRIPLING. Yes, sir.

The CHAIRMAN. Mr. Savoretti, will you raise your right hand, please?

Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SAVORETTI. I do.

TESTIMONY OF JOSEPH SAVORETTI

Mr. STRIPLING. Mr. Savoretti, will you state your full name, please?

Mr. SAVORETTI. Joseph Savoretti.

Mr. STRIPLING. Where are you employed?

Mr. SAVORETTI. In the central office of the Immigration and Naturalization Service, Philadelphia, Pa.

Mr. STRIPLING. What position do you hold with the Immigration and Naturalization Service?

Mr. SAVORETTI. Assistant Commissioner for Adjudications.

Mr. STRIPLING. How long have you been employed by the Immigration and Naturalization Service?

Mr. SAVORETTI. Thirty years this month.

Mr. STRIPLING. Mr. Savoretti, are you here in response to a subpoena which was served upon you?

Mr. SAVORETTI. I am.

Mr. STRIPLING. This subpoena also called for you to bring with you the file of the Immigration and Naturalization Service on Johannes Eisler. Do you have that file with you?

Mr. SAVORETTI. I do.

Mr. STRIPLING. According to the information which the committee has, Mr. Eisler appeared before a board of special inquiry at Calexico, Calif., on September 25, 1940. Do you have a transcript of the questions and answers on that hearing.

Mr. SAVORETTI. I do.

Mr. STRIPLING. Will you turn to that, please.

Mr. SAVORETTI. The hearing was conducted before a board of special inquiry on September 26, 1940, at Calexico. The record is quite lengthy.

Mr. STRIPLING. Yes. Now, will you look through the record and tell me whether or not the following question was asked [reading]:

What are your political beliefs?

Mr. SAVORETTI. I have that.

Mr. STRIPLING. And what was the answer of Mr. Eisler?

Mr. SAVORETTI [reading]:

My political belief is: I admire very much the United States. I hate fascism in every form and I hate Stalin in the same way as I hate Hitler.

Question. Are you in sympathy with the democratic form of government in the United States?

Answer. One hundred percent sympathetic.

Mr. STRIPLING. Now, Mr. Savoretti, do you find the question there [reading]:

Have you ever belonged to any political party?

Mr. SAVORETTI. That follows the one that I have just read. [Reading:]

Question. Have you ever belonged to any political party?

Answer. Never. My life is wholly devoted to music.

Mr. STRIPLING. Do you find the following question [reading]:

Are you acquainted with the principles of the Communist Party?

Mr. SAVORETTI. I do.

Mr. STRIPLING. And the answer to that?

Mr. SAVORETTI. (reading) :

Answer. No.

Mr. STRIPLING. Do you find the question [reading] :

Are you aware of the fact the party advocates the overthrow of the United States by force?

Mr. SAVORETTI. Well, the question reads :

Question. Are you aware of the fact that that party advocates the overthrow of the Government of the United States by force?

and the answer is [reading] : "Yes."

Mr. STRIPLING. Do you find this question [reading] :

Have you ever been affiliated with the Communist Party in any manner?

Mr. SAVORETTI. I do.

Mr. STRIPLING. And the answer?

Mr. SAVORETTI (reading) : "No."

Mr. STRIPLING. Do you find this question [reading] :

Did you ever cooperate with the present Soviet regime?

Mr. SAVORETTI. I do.

Mr. STRIPLING. And the answer?

Mr. SAVORETTI (reading) : "Not at all."

Mr. STRIPLING. Now, Mr. Savoretti, do you also have in the file any testimony taken in connection with an application or for an extension of an application?

Mr. SAVORETTI. I do.

Mr. STRIPLING. Would you turn to that, please.

Would you state the date of the hearing and the place?

Mr. SAVORETTI. This was a statement made by Mr. Eisler on March 27, 1939, before Inspector McDowell, then in the New York office of the service.

Mr. STRIPLING. Are there any questions contained in that transcript dealing with the political affiliation or possible political affiliation of Mr. Eisler?

Mr. SAVORETTI. There are.

Mr. STRIPLING. Would you read those, please.

Mr. SAVORETTI. On page 3 of the reported statement there is a question [reading] :

Do you advocate the overthrow of the present United States form of government?

The answer is: "No."

Question. Are—

possibly if I could read a few of the questions without skipping?

Mr. STRIPLING. Is that all right?

The CHAIRMAN. So ordered.

Mr. SAVORETTI. (reading) :

Question. Are you a subscriber to any newspaper—by that I mean any radical newspaper?

Answer. No.

Question. You have been a guest lecturer at the New York New School of Research. Just what is the subject you teach there?

Answer. I teach music composition, technical; and, second, is a class instruction in music.

Question. Just what is the principle of the school? Is it political?

Answer. Mostly they are interested in sociology and philosophy.

Question. Since your arrival in the United States January 21, 1938, at the port of New York, what cities have you been in?

Answer. Only New York; but I was at Valley Cottage in the summertime.

The CHAIRMAN. Could you speak a little louder?

Mr. SAVORETTI. (reading):

It is nearer Nyack, N. Y.

Question. This Valley Cottage, is that the name of some colony run by some organization?

Answer. It is a private house which we took for the summer months.

Question. In the composition of the songs which you have composed in the past, would you say the basis or theme was the advocating or overthrow of the Government?

Answer. No.

Question. Was it anti-Nazi in character?

Answer. Yes.

Question. Were you ever arrested and convicted?

Answer. No.

Question. Have you ever been in any difficulty or trouble with the police, anytime, any place?

Answer. I wasn't really in trouble, but the last week of my stay in Berlin I was questioned by the police as to what I was doing.

Question. Then, from what you state, you have never been in prison anytime, any place, anywhere in the world?

Answer. No.

Question. How did you come in contact with the New School of Social Research?

Answer. The New School of Social Research has a very fine faculty of refugee professors who are well known to the world, so naturally I wrote to them asking if I could have a chance to lecture at their institution.

Question. Have you taken part in any demonstrations or any political rallies in the United States since your arrival January 21, 1938?

Answer. No.

Mr. STRIPLING. Was Mr. Eisler questioned concerning his political affiliations?

Mr. SAVORETTI. I might start here:

Question. I have an article in front of me which states that Hanns Eisler is a revolutionary German refugee composer. Would you say that statement is correct?

Answer. That is incorrect. I am an anti-Nazi refugee.

Question. Were you aware that such a statement was made in the Daily Worker relating to your political activities?

Answer. I don't remember.

Question. Did you ever take issue at any time with certain newspapers in this country that might have printed certain statements relative to your political activities?

Answer. No. I let it stand.

Question. Since your arrival in the United States January 21, 1938, have you joined any organization in the United States?

Answer. No.

Question. You previously stated you took no part in any demonstration or rally that might occur in the United States; is that correct?

Answer. Yes.

Question. How often do you attend the New School of Social Research?

Answer. Twice a week; 8 o'clock in the evening and 4 o'clock Saturday afternoon.

Question. Where is the New School of Social Research located?

Answer. 66 West Twelfth Street, New York City.

Mr. STRIPLING. Pardon me, Mr. Savoretti—

Mr. SAVORETTI. I was trying to get through.

Mr. STRIPLING. Yes. We will go into the New School of Social Research with a later question.

Mr. SAVORETTI. Here is a question [reading]:

Question. Did you make any remarks relative to your political thoughts at this meeting—

that was at a meeting in Boston.

Answer. No.

Question. Were you a member of any workers' party in Germany?

Answer. No.

Mr. STRIPLING. I think that is enough.

Mr. SAVORETTI, these statements were made under oath?

Mr. SAVORETTI. That is correct, sir.

Mr. STRIPLING. Is there any penalty for swearing falsely in these statements?

Mr. SAVORETTI. Yes. The penalty is perjury.

There is one question here [reading]:

Question. Have you ever been a member of the Communist Party?

Answer. No.

Mr. STRIPLING. That is all, Mr. Savoretti, at this time.

Mr. Eisler, would you take the microphone, please, and put it in front of you.

TESTIMONY OF HANNS EISLER—Resumed

Mr. STRIPLING. Mr. Eisler, you stated that you have a sister in the United States.

Mr. EISLER. Yes.

Mr. STRIPLING. By the name of Ruth Fischer.

Mr. EISLER. Yes.

Mr. STRIPLING. Do you recall receiving a letter from her on April 27, 1944, addressed to you and your wife?

Mr. EISLER. I don't recall it. What kind of letter was it, please?

Mr. STRIPLING. In this letter she accused you and her brother Gerhard of being agents of the GPU. She stated as follows [reading]:

If the local branches of the GPU can succeed in making clever arrangements for a natural death it will not succeed this time. Not for you nor for Gerhard Eisler, Chief of the German GPU division in the United States * * *. This time it will not be made so easy for you. You always play with terror and are always afraid to take your responsibility for your acts.

I have made the following preparation: No. 1, three physicians have given me a thorough examination. I am now in good health. There is no cause for natural death. I am constantly under a physician's care and am taking care of myself in a sensible manner. The doctors are informed that in case of any trouble they will testify accordingly. 2, a number of reputable journalists and politicians have been informed and possess a copy of this letter. A number of German immigrants have also been apprised.

Do you recall receiving that letter?

Mr. EISLER. Really not.

The CHAIRMAN. What was the answer?

Mr. EISLER. Really not. I don't recall getting such a letter. I think the letter is absolutely idiotic.

The CHAIRMAN. Don't you think, Mr. Eisler, if you had received such a letter you would be able to recall whether you had gotten it or not?

Mr. EISLER. Maybe it was sent to the wrong address—

The CHAIRMAN. Beg your pardon?

Mr. EISLER. But I read similar things.

The CHAIRMAN. Would you say you never received that letter?

Mr. EISLER. It could be possible.

The CHAIRMAN. Would you say that you did receive the letter?

Mr. EISLER. Oh, let's say I don't recall exactly.

The CHAIRMAN. Now, now, you better jog that memory of yours a little bit, because it is getting right back to where it was in California.

Mr. EISLER. Yes.

The CHAIRMAN. If I had received a letter like that, or anyone else in this room had received a letter like that, they would know, particularly if it was from our sister. They would remember whether they received it or not.

Mr. EISLER. Yes.

The CHAIRMAN. So I want you to answer whether you received that letter or whether you didn't receive the letter.

Mr. EISLER. It is quite a possibility that I received the letter.

The CHAIRMAN. That is not an answer to the question.

Mr. EISLER. I say, Mr. Chairman, it is quite a possibility that I received the letter. This must be a sufficient answer. I don't recall this letter. I have no reason to deny it, but I don't know exactly.

The CHAIRMAN. Yes; but don't you think that if you had received it you would recall it?

Mr. EISLER. No. It is so foolish and idiotic——

The CHAIRMAN. That is why you would recall, if you say it was foolish.

Mr. EISLER. Maybe my wife put it away. It is possible. But let's say, for the sake of the record, I received this letter.

The CHAIRMAN. You received it. All right, for the sake of the record, he received it.

Mr. STRIPLING. All right.

Mr. Chairman, I don't want to burden the committee with putting in any more of this evidence.

I would like, however, to put into the record as exhibits a number of books containing songs of Mr. Eisler.²⁸ For example, I have one here published by the Rand School in New York, entitled "Rebel Song Book," which contains——

Mr. EISLER. The song Comintern, with a different title.

Mr. STRIPLING. We're Marching, O Comrades, by Hanns Eisler.

Mr. EISLER. It is the song Comintern, with a different title in this book.

Mr. STRIPLING. I also have another one, Mr. Chairman, entitled "Workers Song Book," published by the Workers Music League in 1935.²⁹ Forward, We've Not Forgotten, by Hanns Eisler.

The CHAIRMAN. Are those the only one you have, Mr. Stripling?

Mr. STRIPLING. No. I have one or two others I would like to put in.

I have here Soviet Russia Today, May issue, 1936. It says, on page 33³⁰ [reading]:

For May Day and every day, timely records of workers' songs. One is Rise Up; another is the Internationale; and another one is In Praise of Learning,

²⁸ See appendix, p. 190, for exhibits 35 and 36.

²⁹ See appendix, p. 190, for exhibit 37.

³⁰ See appendix, p. 190, for exhibit 38.

which was written by Hanns Eisler and Berthold Brecht for *Mother*, a musical play based on Maxim Gorki's novel of the same name.

The recorded version has been rearranged by the composer, who supervised the recording. The fresh note this song strikes, coupled with its splendid vigor, makes this a recording of particular interest.

Mr. EISLER. That is just what I told you——

Mr. STRIPLING. The other songs listed, as I say, are the Internationale, Forward, We've Not Forgotten, and also the Soup Song and United Front, by Brecht and Eisler.

Mr. EISLER. I offer as evidence my book, too.

The CHAIRMAN. Just a minute.

Do you have any others, Mr. Stripling?

Mr. STRIPLING. Well, I have a number, Mr. Chairman, but I don't think they should be included in the record.

The CHAIRMAN. Now, you want to include this one, too?

Mr. EISLER. With pleasure. Here [hands].

The CHAIRMAN. What is the name of this one?

Mr. EISLER. Composing for the Films.³¹

The CHAIRMAN. Without objection, it is so ordered.

Mr. McDOWELL. May I see it?

(Book handed to Mr. McDowell.)

Mr. STRIPLING. Mr. Chairman, those are the only questions I have at this time of Mr. Eisler. I should like to point out, however, that it might be necessary to bring him back as a witness. He will have to be subpoenaed back in the Hollywood hearing.

Mr. RANKIN. Mr. Chairman, under the law, it is not necessary to resubpena a witness. Just direct him to stay within the call of the Chair.

The CHAIRMAN. Well, I am quite confident that Mr. Eisler will stay——

Mr. EISLER. Pardon me?

The CHAIRMAN. I am quite confident that you will stay within the call of the Chair.

Mr. EISLER. Absolutely.

Mr. GREENBERG. Are you putting any geographical limitation on him when you say "Within the call of the Chair"?

The CHAIRMAN. Anywhere within the United States, but not outside of the United States.

Mr. EISLER. Oh, yes. Surely.

Mr. GREENBERG. That is all right.

The CHAIRMAN. Mr. McDowell, do you have any questions?

Mr. McDOWELL. Yes.

Mr. Eisler, you were born in Austria?

Mr. EISLER. I was born in Leipzig, but I always was an Austrian citizen.

Mr. McDOWELL. During the First World War were you a member of either army—the Austrian or the German Army?

Mr. EISLER. The Austrian Army.

Mr. McDOWELL. Did you work before you became a soldier? Did you have a job?

Mr. EISLER. No. I was in school.

Mr. McDOWELL. You were a student?

³¹ See appendix, p. 190, for exhibit 39.

Mr. EISLER. Yes.

Mr. McDOWELL. And after the war was over did you return to your school and continue your studies?

Mr. EISLER. Yes.

Mr. McDOWELL. Have you ever worked for anybody? Have you ever had what we call in America a job?

Mr. EISLER. Yes. I was a professor of music in the Conservatory of the City of Vienna.

Mr. McDOWELL. You taught? You were a teacher?

Mr. EISLER. I was a student, a postgraduate musical student. I taught there.

Mr. McDOWELL. In the song Red Front, which I have before me—music by Hanns Eisler—in the publication *The Worker Musician*, among other things, it says this: "We carry the flag of the working class, in the face of our class enemy," and so forth, and various other publications bearing your name, with either music or words, or both, composed by you, where you refer to the working class. Now, from your testimony here I conclude that your opinion on matters of work, as we understand work in the United States, is purely academic.

Mr. EISLER. I am a composer and composing is my whole life. That is working, too.

Mr. McDOWELL. Those are all the questions I have.

The CHAIRMAN. Mr. Rankin?

Mr. RANKIN. I think Mr. Stripling has covered it in the questions pretty well.

The CHAIRMAN. Mr. Eisler, on this question of work, you are now employed with RKO?

Mr. EISLER. No. I was only a free-lancer. I didn't get any job the last—

The CHAIRMAN. Did you do any work for RKO last year?

Mr. EISLER. Let me see. Yes, in spring or at the beginning of the year I wrote the score to a picture.

The CHAIRMAN. What is the total amount of pay that you have received from RKO?

Mr. EISLER. I cannot say this immediately. I can say my income normally in Hollywood is between \$7,000 and \$9,000.

The CHAIRMAN. What was the total—

Mr. EISLER. A year.

The CHAIRMAN. Received from RKO?

Mr. EISLER. I have to reckon this out. I cannot recall it.

The CHAIRMAN. It would be in excess of \$20,000?

Mr. EISLER. In the last 4 years, yes.

The CHAIRMAN. It would be in excess of \$20,000?

Mr. EISLER. Not even I would say in excess; but in 4 years, I would make every year five or six thousand dollars from RKO—sometimes more, sometimes less.

The CHAIRMAN. Mr. Wood?

Mr. WOOD. I have nothing.

Mr. McDOWELL. I have just one more question.

The CHAIRMAN. Mr. McDowell.

Mr. McDOWELL. Mr. Eisler, did you write the Ballad to Paragraph

Mr. EISLER. I write only music.

³² See appendix, p. 190, for exhibit 40.

Mr. McDOWELL. You wrote only the music?

Mr. EISLER. I wrote only the music.

Mr. McDOWELL. You remember the words?

Mr. EISLER. Sure, I remember the words.

Mr. McDOWELL. Did you write the ballad "Address to the Crane 'Karl'"? ³³

Mr. EISLER. I wrote the music to it.

Mr. McDOWELL. Only the music?

Mr. EISLER. I never write words.

Mr. McDOWELL. Have you read the words?

Mr. EISLER. You mean read?

Mr. McDOWELL. Have you read the words?

Mr. EISLER. Sure.

Mr. McDOWELL. Did you write the Ballad of the Maimed? ³⁴

Mr. EISLER. Of what, please?

Mr. McDOWELL. The Ballad of the Maimed—the hurt, the injured?

Mr. EISLER. Sure.

Mr. McDOWELL. The Ballad of the Maimed?

Mr. EISLER. I wrote the music to it.

Mr. McDOWELL. Did you write the words?

Mr. EISLER. No. I never write words.

Mr. McDOWELL. Have you read the words?

Mr. EISLER. Yes.

Mr. McDOWELL. Did you write Ballad of Nigger Jim? ³⁵

Mr. EISLER. I wrote the music.

Mr. McDOWELL. You didn't write the words?

Mr. EISLER. No.

Mr. McDOWELL. You read the words?

Mr. EISLER. I read the words.

Mr. McDOWELL. Did you write Song of the Dry Bread? ³⁶

Mr. EISLER. Yes. It was in a play. It was a song from a part.

Mr. McDOWELL. It was a part of a play. Did you write the words?

Mr. EISLER. No. I never write the words.

Mr. McDOWELL. Did you read the words?

Mr. EISLER. Sure.

Mr. McDOWELL. Did you write Song of Demand and Supply? ³⁷

Mr. EISLER. It is one of the songs of the——

Mr. McDOWELL. Did you write the words?

Mr. EISLER. No.

Mr. McDOWELL. Did you read the words?

Mr. EISLER. Yes.

Mr. McDOWELL. As a composer of the music for the various pieces that I have named here, would you be consulted in the words that would go with this music?

Mr. EISLER. No. I get the text and then I write the music to it.

Mr. McDOWELL. I would like to say, Mr. Chairman—and to the members of the committee—that I think all members of the committee should examine these exhibits that I have here, and that I have just named to Mr. Eisler, who maintains he is a composer of the music.

³³ See appendix, p. 190, for exhibit 41.

³⁴ See appendix, p. 190, for exhibit 42.

³⁵ See appendix, p. 190, for exhibit 43.

³⁶ See appendix, p. 190, for exhibit 44.

³⁷ See appendix, p. 190, for exhibit 45.

This is matter that couldn't be sent through the mails in the United States. It deals with affairs that are entirely out of political matters, entirely out of anything except perhaps that of medicine. Obscenity is a poor word for it. I don't know what the custom is in Germany or in Austria, but such words as are in those sheets have no place in any sort of a civilization.

Mr. EISLER. They are considered as great poetry.

Mr. McDOWELL. They are considered as what?

Mr. EISLER. Great poetry.

Mr. McDOWELL. Great poetry?

Mr. EISLER. Yes.

Mr. McDOWELL. Well, great poetry as we are taught in America has nothing to do with that kind of truck. Among other things, there is a song in there apparently dedicated or written because of the laws prohibiting abortion.

Mr. EISLER. Yes.

Mr. McDOWELL. In Germany.

Mr. EISLER. Yes.

Mr. McDOWELL. This song ridicules the law—

Mr. EISLER. Yes.

Mr. McDOWELL. Opposing the prohibition of abortions.

Mr. EISLER. Yes.

Mr. McDOWELL. In other words, this song would, I presume, in your Communist fashion of thinking, urge that the law opposing abortion be disregarded.

The CHAIRMAN. I would suggest that we don't get very deep into the question of abortion.

Mr. EISLER. Mr. McDowell, repeat—

The CHAIRMAN. Mr. Rankin.

Mr. RANKIN. I understand that you have complained that this committee had smeared you.

Mr. EISLER. Yes, Mr. Rankin.

Mr. RANKIN. When you make that charge you are making that charge against a committee of the Congress of the United States. You realize that, do you?

Mr. EISLER. Yes.

Mr. McDOWELL. This committee is governed by the rules of the House of Representatives. Nothing that this committee has done is in violation of the rules of the House, or in conflict with the laws of common decency.

Now, where do you get any authority for saying that this committee has smeared you?

Mr. EISLER. I haven't any authority at all, but if you had made such a hearing without giving every week the last 12 months, things about me which are not even sometimes the truth, it would be different. But when you have distortions or inventions of somebody which told it to one of the members of the committee, when you go into this fantastic press campaign against an artist, I am sure every red-blooded artist will be, after 1 year, after you nearly ruined him, very angry about this.

Mr. RANKIN. I am conscious, when I look at this filth here, to which Mr. McDowell has referred—

Mr. EISLER. Pardon me, Mr. Rankin. It is not filth.

Mr. RANKIN. I am conscious that anybody that would write that stuff would certainly not have much respect for the Congress of the United States. But this committee has given you more than a fair deal, more than a fair trial, more than you would have gotten in any other country in the world. In any other country in the world you would have fared worse than you have in the United States, if you had carried on the same class of conduct that has been brought out by the testimony here.

Mr. EISLER. I don't know, Mr. Rankin, how you are familiar with American poetry.

Mr. RANKIN. American what?

Mr. EISLER. Poetry.

Mr. RANKIN. Poetry.

Mr. EISLER. And American writing. This is not American poetry or American writing. This was written in German. It is not translated. It was written in Berlin in 1927 or 1928 or 1929. I say, again, it is great poetry. We can have different tastes in art, but I cannot permit, Mr. Rankin, that you call my work just in such names. I protest against that.

Mr. RANKIN. I suppose that I am as familiar with American poetry and with English poetry generally as any Member of either House. And anybody that tries to tell me that this filth is poetry certainly reads himself out of the class of any American poet that has ever been recognized by the American people.

Mr. EISLER. I am sorry—

Mr. RANKIN. I don't believe I have anything further, Mr. Chairman.

The CHAIRMAN. Mr. Wood?

Mr. WOOD. No questions.

The CHAIRMAN. Mr. McDowell, you have something further?

Mr. McDOWELL. Yes.

Mr. Eisler, you wrote the poem about killing, "About Killing?"³⁸

Mr. EISLER. It was a quotation from poetry.

Mr. McDOWELL. It was a quotation?

Mr. EISLER. Quotation.

Mr. McDOWELL. But you were the author of the poem?

Mr. EISLER. No; I just put it together from poetry. I cannot write words, you know.

Mr. McDOWELL. You merely put this together?

Mr. EISLER. Yes, from the poetry. I am not a writer.

Mr. McDOWELL. Mr. Chairman, I would like permission to read these nine lines, which is the entire poem, that Mr. Eisler put together.

Mr. RANKIN. I reserve the right to object. But we will hear him read it.

Mr. McDOWELL (reading):

"Terrible it is to shed blood
 Hard it is to learn to kill
 Bad it is to see people die before their time
 But we must learn to kill
 We must see people die before their time
 We must shed blood
 So that no more blood will be shed."

³⁸ See appendix, p. 190, for exhibit 46.

Mr. EISLER. This is a correct anti-Fascist sentiment.

The CHAIRMAN. Mr. Stripling, do you have any more?

Mr. EISLER. Written in 1929 and 1930 in Germany. And when Heidrich was killed in Prague by the Czech people, I agreed with this. He is a gangster and he killed innumerable good-hearted people. This is poetry and not reality. The difference between art and real life has to be reconsidered. Take Hollywood, at every street corner you can see the most cruel pieces of art, and you can read stories in mystery magazines, that you can buy in every drug store, which are horrible. I don't like such stuff. This is a little philosophical poem directed against gangsters.

The CHAIRMAN. Do you have any more questions?

Mr. STRIPLING. No; I have no more questions, Mr. Chairman. That is all at this time.³⁹

Mr. RANKIN. Mr. Chairman, the American people, of course, have just whipped Hitler, but the thing that shocks me is that while our boys were dying by the thousands over there to get Hitler's heel off their necks some of these people come here and attempt to foment revolution in the United States. It is about time the American people woke up and put a stop to it.

The CHAIRMAN. Mr. Eisler, the Chair wishes to direct you to remain in the United States.

Mr. EISLER. I will.

The CHAIRMAN. Until you are released by us.

Mr. EISLER. Yes.

Mr. STRIPLING. And have him remain for the hearings, Mr. Chairman.

The CHAIRMAN. And be subject to a call from us at the coming hearings, which will start on October 20.

Mr. EISLER. Yes. Do I have to remain in Washington? Do you need me tomorrow or another day?

The CHAIRMAN. Do you want him any more?

Mr. STRIPLING. Mr. Chairman, I would like for him to remain this afternoon, please.

The CHAIRMAN. Stay throughout the day in Washington.

Mr. EISLER. I am to stay in this room?

Mr. STRIPLING. In this room.

The CHAIRMAN. In this room.

Mr. GREENBERG. That is all right.

The CHAIRMAN. That is all, Mr. Eisler. Thank you very much.

Mr. STRIPLING. The next witness, Mr. Chairman, is Sumner Welles.

The CHAIRMAN. Mr. Welles.

Mr. Welles, raise your right hand, please.

Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WELLES. I do.

The CHAIRMAN. Thank you. Sit down.

³⁹ See appendix, p. 191, for other musical works by Hanns Eisler, exhibits 47-51.

TESTIMONY OF SUMNER WELLES

Mr. STRIPLING. Mr. Welles, do you have counsel with you?

Mr. WELLES. I have asked Mr. Norman Littell, Mr. Chairman, to act as my counsel, in view of the many questions involving the immigration laws and other questions of that kind.

The CHAIRMAN. That is agreeable.

Mr. WELLES. Of course, I ask for no privileges of any kind that are not accorded by the committee to any other witness.

The CHAIRMAN. Sit down, Mr. Welles.

And will you identify the counsel, Mr. Stripling?

Mr. STRIPLING. Yes; I will. Mr. Littell, will you state to the committee your full name?

Mr. LITTELL. Norman M. Littell, 1422 F Street NW., Washington, D. C.

Mr. STRIPLING. Are you a former Assistant Attorney General of the United States?

Mr. LITTELL. That is correct.

The CHAIRMAN. Mr. Littell, did you hear my direction to the counsel for Mr. Hanns Eisler?

Mr. LITTELL. I did, unfortunately, Mr. Chairman.

The CHAIRMAN. You did?

Mr. LITTELL. Yes.

The CHAIRMAN. The same will apply to you.

Mr. LITTELL. I so understand the matter.

Mr. STRIPLING. Mr. Welles, will you state your full name and present address?

Mr. WELLES. Sumner Welles, Oxon Hill, Md.

Mr. STRIPLING. When and where were you born?

Mr. WELLES. New York City, October 14, 1892.

Mr. STRIPLING. What is your present occupation?

Mr. WELLES. Author and columnist.

Mr. STRIPLING. Have you ever held any office or position in the service of the Government of the United States?

Mr. WELLES. Yes; during many years.

Mr. STRIPLING. Would you enumerate to the committee some of the various posts and positions you have held?

Mr. WELLES. I entered the Foreign Service in 1915. I went as third secretary of the Embassy in Japan. I was then transferred back to the Department of State. I was then transferred to the Embassy in Argentina. I was then transferred to the Department of State, in the spring of 1920, as Assistant Chief of the then Division of Latin American Affairs. Then later I was appointed Chief of that Division. I was then appointed Commissioner of the United States in the Dominican Republic, where I remained—including other special duties—for some 4 years.

I resigned in 1925. I returned to the Government service in the spring of 1933 as Assistant Secretary of State. Then Ambassador to Cuba. Then back to Washington as Assistant Secretary of State. And in 1937 I was appointed Under Secretary of State, until my resignation in 1943.

Mr. STRIPLING. Now, Mr. Welles, you are here today in response to a subpoena; is that correct?

Mr. WELLES. Yes.

Mr. STRIPLING. I would like for the record to show, Mr. Chairman, that on August 26 you addressed a telegram to Mr. Welles at Bar Harbor, Maine, requesting his appearance and asking him if he would accept the telegram as a constructive subpoena. He replied, "Gladly accept telegram as subpoena. Will appear as indicated September 24." When he arrived today a subpoena was served on him, and he is here in response to a subpoena.

Now, Mr. Welles, in 1939, January 1939, were you Under Secretary of State for the State Department of the United States?

Mr. WELLES. That is correct; yes.

Mr. STRIPLING. Will you briefly state the general functions of the Under Secretary of State, as to whether or not he is in charge of visa matters.

Mr. WELLES. Under the organization of the Department of State at that time, the Secretary of State, of course, was in entire control of the Department of State. It was obviously impossible for the Secretary of State to attend to all of the manifold duties, particularly as the months were becoming more and more precarious.

The division of work in the Department of State at that time was approximately as follows: The Secretary of State had general supervision but paid more particular attention to certain political and economic questions. The Under Secretary of State likewise devoted almost all of his time to certain political questions and to certain economic questions, leaving the administration of the Department to one of the Assistant Secretaries of State. The administration of the Department at that time was in the hands of Mr. George Messersmith, I think it can be said without any qualification, one of the ablest, most devoted, most efficient public servants I have ever known.

Mr. STRIPLING. Mr. Welles, do you recall receiving any communication, either written or oral, from anyone regarding Hanns Eisler in January of 1939?

Mr. WELLES. Yes. The first I heard of his case was on January 11, 1939, by means of a note from the White House which had been signed by Mrs. Roosevelt.

Mr. STRIPLING. Mr. Welles, may I interrupt you there. Before you read that document, I should like to state, Mr. Chairman, that on the 14th of February 1937 a subpoena was served upon the Department of State, calling upon them to produce the records of that Department in the case of Hanns Eisler. We have here a number of photostats of documents which the Department furnished us in response to that subpoena.

Now, Mr. Welles, you stated that your first communication was on January 11.

Mr. WELLES. Yes.

Mr. STRIPLING. Are you referring to a letter from Eleanor Roosevelt?

Mr. WELLES. That is correct.

Mr. STRIPLING. I show you a photostatic copy, which was furnished us by the Department of State, dated January 11, the White House, addressed, "Dear Sumner," and signed "Eleanor Roosevelt." Is that the letter you refer to?⁴⁰

Mr. WELLES. That is the letter; yes.

⁴⁰ See appendix, p. 191, for exhibit 52.

Mr. STRIPLING. Mr. Chairman, I would like to read this letter into the record. It reads:

DEAR SUMNER: All these papers were brought to me yesterday by a friend of Mr. Eisler. The man who brought them is a perfectly honest person and very much disturbed. He thinks the State Department has really told the Cuban consul that they do not wish to admit the Eislers, and he is perfectly sure that the Eislers are not Communists and have no political affiliations of any kind. He is sure that they believe our form of government is "heaven" and would be entirely agreeable without reservation to take an oath of allegiance.

I believe that it is said that the Labor Department did not examine the case carefully enough. Why not do it all over again and bring it out in the open and let the Eislers defend themselves?

Cordially,

ELEANOR ROOSEVELT.

Mr. Welles, do you recall examining the material which Mrs. Roosevelt transmitted with her letter of January 11?

Mr. WELLES. I remember that when this letter was received I looked through the papers attached to the letter, probably not very carefully. I make that comment parenthetically, Mr. Chairman, because I think it must be recognized that at that particular time the Under Secretary of State was not able to devote the time and attention necessary to questions of this character, which did not come directly within his province. I am unable, for that reason, to say how carefully I examined the papers.

Mr. STRIPLING. Mr. Welles, can you identify—

The CHAIRMAN. Just a minute.

Mr. STRIPLING. Yes, sir.

The CHAIRMAN. Even though that communication came from the White House?

Mr. WELLES. For this reason, Mr. Chairman: As I have already explained, in view of the organization of the Department of State, the highest authority to whom I could refer these questions in the Department of State would have been the Assistant Secretary of State in charge of the administration of the Department, which included, of course, the Visa Section. These papers were consequently transmitted by me to Mr. Messersmith, since I knew that the fullest possible consideration would be given to them and that every proper precaution would be taken in their regard.

Mr. STRIPLING. Now, Mr. Welles, did you tell the committee who Mrs. Roosevelt was referring to when she said that these papers were brought to her by a perfectly honest person who was very much disturbed?

Mr. WELLES. The only way I can give you that information now, of course, is through what I assume is hindsight, since later papers would seem to indicate that these papers were brought or left with Mrs. Roosevelt by a gentleman called Mr. Donald Stephens, I think, is the name.

Mr. STRIPLING. Can you further identify Mr. Stephens?

Mr. WELLES. I am afraid not. I find here in the file a letter which he addressed to me some weeks later, but so far as I know I never replied to that letter, and further correspondence with that gentleman was held by other officials in the Department.

Mr. STRIPLING. Now, I have here, Mr. Chairman, a photostatic copy of the material which was submitted by Mr. Donald Stephens. We have not definitely ascertained that Mr. Donald Stephens was the

person who submitted them. However, from that examination of the file it would appear so, confirming what Mr. Welles just said.

The CHAIRMAN. Is someone going to identify Donald Stephens?

Mr. STRIPLING. Yes, sir; he will be identified.

In the memorandum which Mrs. Roosevelt had transmitted to Mr. Welles it states, under the heading of "Hanns Eisler"⁴¹ [reading]:

After this assurance from the American consul in Cuba that he was placed on the quota, he learned that the State Department had informed the consul in Cuba not to issue any visa to Eisler until further notice. Through other friends he has learned that the State Department claimed to have on file protests from patriotic organizations against admitting Eisler. They state that there is a question as to whether Eisler's views would not bar him from legal entry. Although Eisler and his wife were interviewed last summer by the Labor Department and found acceptable as immigrants, the State Department claims that the Labor Department's examination was superficial and unsatisfactory.

The State Department states to interested inquirers that of course the whole matter of the Eisler visa rests with the consul in Cuba. The consul in Cuba says he has been requested by the State Department not to take any further action on the Eisler visa until he hears from them. The Eisler visa expires in January. They cannot return to Austria without facing at the very least a concentration camp, since both are Jews. If the United States turns them out, they are suspects in the eyes of every other country.

The main point on which information would be valuable is, What information does the State Department have that is being used against them? The case is in charge of Mr. Robert C. Alexander. Are they really pressing this case? Are they acting at the instigation of some group; and if so, what group?

What people or groups should bring pressure, and where, to have the Eislers assured of an immigrant visa?

Now, Mr. Welles, you say you did not examine this material.

Mr. WELLES. I am not familiar with it.

Mr. STRIPLING. You referred it to Mr. Messersmith?

Mr. WELLES. That is correct.

Mr. STRIPLING. Did you ask Mr. Messersmith to prepare a reply to Mrs. Roosevelt?

Mr. WELLES. I did; yes.

Mr. STRIPLING. Was it customary for Mrs. Roosevelt to communicate with you on various matters? Did she make requests upon you from time to time?

Mr. WELLES. I have had the privilege, Mr. Stripling, of being a friend of Mrs. Roosevelt for more than 50 years, since I was a child, and for that reason I have heard from Mrs. Roosevelt frequently during my life, when I was in the Government as well as out.

Mr. STRIPLING. Now, your reply to Mrs. Roosevelt, as I understand from the file, was prepared by Mr. Messersmith or his subordinates?

Mr. WELLES. That is correct.

Mr. STRIPLING. And you replied on January 24, 1939; is that true?⁴²

Mr. WELLES. That is correct.

Mr. STRIPLING. Would you mind, Mr. Welles, reading your reply to Mrs. Roosevelt?

Mr. WELLES (reading):

JANUARY 24, 1939.

DEAR ELEANOR: I have your letter of January 11, enclosing a number of papers which were brought to you by a friend of Hanns Eisler, and I have somewhat delayed writing you as I wished the matter to be gone into very carefully.

It is quite possible that Mr. Eisler and his wife will be able to show that they are admissible into the United States under our immigration laws. The decision

⁴¹ See appendix, p. 191, for exhibit 53.

⁴² See appendix, p. 191, for exhibit 54.

in their cases must be made under the law by the consul general at Habana, to whom they desire to apply, and he cannot reach a decision until he shall have had an opportunity to examine Mr. and Mrs. Eisler when they call in person at the consulate general to apply for visas. This is the customary procedure under the law and, although Mr. and Mrs. Eisler may desire to have a decision reached as to their qualification for visas before they leave the United States, this would not be practicable.

Our file indicates that Mr. Eisler has been connected in some measure with communistic organizations, and the facts will therefore have to be gone into very carefully by the consul general when he interviews Mr. Eisler and his wife. I believe that it would be most helpful to inform Mr. and Mrs. Eisler that it would not be possible to have a decision made in their cases until they can proceed to Cuba and appear before the consul general. They would have to obtain permission from the Cuban authorities to enter that country temporarily, and they can then call at the consulate general to apply for visas.

They should, of course, take with them documentary evidence to establish the facts in their cases and to support their claims that they are not involved in communistic activities and that they do not have affiliations and do not hold beliefs which, under our immigration laws, would exclude them from favorable consideration for visas. It is impossible, of course, for me to indicate just what the nature of this evidence should be, but I think it would be very desirable for them to carry letters from some of their responsible friends in this country indicating that to their knowledge and belief Mr. and Mrs. Eisler do not hold opinions which under our immigration laws would exclude them.

If it is Mr. Eisler's intention, as I understand it is, to apply for a nonquota visa as a professor, he should, of course, carry with him specific evidence from the New School of Social Research of his appointment as a professor there. This can very effectively be in the form of a letter from the head of the New School of Social Research to the consul general at Habana, setting forth the appointment and the salary which Mr. Eisler is to receive. It is also necessary, under the law, to establish nonquota status as a professor, that he should have available to present to the consul general evidence concerning his teaching activities during the past 2 years and evidence regarding the institutions with which he has been connected and to which he is coming as bearing upon his qualification as a professor of a college, academy, seminary, or university in the terms mentioned in the law.

Mr. Eisler may be assured that the Department only desires that the question of his qualification and that of his wife to receive visas shall be determined in the usual manner by the consular officer who is responsible under the law for deciding this question. Mr. and Mrs. Eisler may also be assured that the consul general will accord them every possible consideration.

I am sending you herewith a duplicate of this letter in case you may wish to have it sent to Mr. Eisler.

Believe me,

Yours very sincerely,

[SUMNER WELLES.]

Mr. STRIPLING. Now, Mr. Welles, I show you what appears to be a very brief memorandum, on the Department of State letterhead, addressed to Mr. Messersmith.⁴³ Is this your initial?

Mr. WELLES. No.

Mr. STRIPLING. Can you identify that?

Mr. WELLES. I think it is Fletcher Warren, who was at that time one of the assistants to Mr. Messersmith. I think Mr. Messersmith would be a better authority on that initial than I. But that is my recollection.

Mr. STRIPLING. It occurred to me it might be your initial.

Mr. WELLES. No.

Mr. STRIPLING. Now, Mr. Chairman, I have a memorandum written on the letterhead of the Department of State, Assistant Secretary, dated January 24, 1939, to Mr. Welles, from "G. S. M.," whom I assume to be George S. Messersmith.⁴⁴ It reads:

Mr. WELLES: Herewith a letter which you may wish to send to Mrs. Roosevelt in reply to her note to you of January 11, regarding Hanns Eisler. I have some-

⁴³ See appendix, p. 191, for exhibit 55.

what delayed the reply due to the pressure on me and due to our desire to go into the matter very carefully. We have a very full file on this case.

You will note that I am also sending a copy of your letter to Mrs. Roosevelt to the consul general in Habana, together with certain observations to him which may be useful—

signed "G. S. M." Do you recall receiving this memorandum, Mr. Welles?

Mr. WELLES. I recall, undoubtedly, that that is the memorandum from Mr. Messersmith to me.

Mr. STRIPLING. What do you understand by the language in this memorandum, "due to the pressure on me"?

Mr. WELLES. My understanding of that is extremely clear, although I think Mr. Messersmith, again, Mr. Stripling, should interpret his own language.

Mr. STRIPLING. What do you understand by the language?

Mr. WELLES. The understanding that I undoubtedly gave to it was that Mr. Messersmith, owing to the pressure of work on his Department, wrote this memorandum and that was the reason for the delay in his reply. The pressure on him was as great as that on any other official in the Department, and it was perfectly understandable to me for that reason there might be some delay in preparing the reply I requested.

Mr. STRIPLING. He says, "We have a very full file on this case." Did you personally ever examine the file, Mr. Welles?

Mr. WELLES. No; I did not.

Mr. STRIPLING. I show you a memorandum on the letterhead of the Department of State dated January 20, 1939, marked "Personal to Mr. Messersmith," and ask you if you can identify it, or if you have ever seen this memorandum.⁴⁵

Mr. WELLES. I do not recollect having seen this before. It is signed by Mr. Mossmyer, who was also an assistant to Mr. Messersmith at that time.

Mr. STRIPLING. He was an assistant to Mr. Messersmith?

Mr. WELLES. Yes.

Mr. STRIPLING. This memorandum refers to your reply to Mrs. Roosevelt. It reads:

DEAR MR. MESSERSMITH: The attached draft of letter to Mrs. Roosevelt is excellent. I have tried to read it from the standpoint of whether Mrs. Roosevelt could have possibly gained a misapprehension in regard to the case.

In this connection, I query whether she might not have informed her friend that the Eislers should proceed as soon as possible to Habana to prosecute the application for an immigration visa.

I realize that if Eisler is unable to establish his nonquota status they would probably be unable to get visas before some time in 1940, if at all, and they could not—

"not" is underscored—

return to the United States on visitors' visas and remain on the waiting list in Habana.

It is possible that if Mrs. Roosevelt knows this, she may prefer not to urge them to leave this country, but, rather, seek a further extension of their present status and thus make it unnecessary to go into this. But I felt I should raise the question—

You have never seen that memorandum, Mr. Welles?

Mr. WELLES. Not so far as I remember. I don't think so.

⁴⁴ See appendix, p. 191, for exhibit 56.

⁴⁵ See appendix, p. 191, for exhibit 57.

Mr. STRIPLING. Now, Mr. Welles, did you receive another communication from Mrs. Roosevelt regarding this case?

Mr. WELLES. I did; yes.

Mr. STRIPLING. I have here, Mr. Chairman, a photostatic copy of a memorandum written on the White House stationery dated February 7, 1939.⁴⁶ [Reading:]

Memorandum for Hon. Sumner Welles.

It says:

See Mrs. Roosevelt's note.

Then it says:

DEAR SUMNER: This Eisler case seems a hard nut to crack. What do you suggest?

Sincerely,

[E. R.]

Have you examined this memorandum, Mr. Welles, in the State Department file?

Mr. WELLES. I have seen a copy of it, Mr. Stripling.

Mr. STRIPLING. Would you explain to the committee just—

Mr. WELLES. I assume, Mr. Chairman, that this memorandum from Mrs. Roosevelt of February 7 was sent to me after receipt of my letter which has already been read, the one of January 24, asking if any further suggestions could be offered by the Department of State with regard to the case under consideration.

Mr. STRIPLING. You replied to this memorandum of February 7 on February 10, did you not, Mr. Welles?

Mr. WELLES. May I interrupt you just a minute, Mr. Stripling?

Mr. STRIPLING. Yes.

Mr. WELLES. It may be, also, Mr. Chairman, that there were some further papers attached of the same type as those with the original letter of January 11 from Mrs. Roosevelt. But if that does not show in the file, of course that is merely a surmise on my part.

Mr. STRIPLING. I wonder if you would now read your reply to Mrs. Roosevelt of February 10, a photostatic copy of which I hand you.⁴⁷

Mr. WELLES. This letter, as you will also see, Mr. Stripling, was prepared at my request by Mr. Messersmith.

Mr. STRIPLING. Yes.

Mr. WELLES. With my signature. [Reading:]

FEBRUARY 10, 1939.

DEAR ELEANOR: I have your note of February 7 with which you sent me the letter of February 3—

this evidently clears it up, Mr. Chairman. This is obviously the enclosure to the memorandum of February 7 to Mrs. Roosevelt, enclosing a memorandum that had been written by Mr. Stephens.

Mr. STRIPLING. Yes.

Mr. WELLES (continues reading):

with which you sent me the letter of February 3 you have received from Mr. Don Stephens from the National Arts Club in New York with regard to Mr. Hanns Eisler. You will recall that I wrote you on January 24, 1939, with regard to this case.

I have had the matter carefully gone into further and I think I should tell you that some of the friends of Mr. Eisler entertain some thoroughly wrong.

⁴⁶ See appendix, p. 191, for exhibit 58.

⁴⁷ See appendix, p. 191, for exhibit 59.

impressions with regard to the attitude of this Department and our consulate general in Habana in this case. These friends of Mr. Eisler are thoroughly well-meaning people, but they seem to think that this Department and the consulate general in Habana have certain prejudices and fixed attitudes with respect to his admission to this country. Of course this is utterly without foundation. These friends of Mr. Eisler, too, seem to think that there is some special consideration or treatment which can be given him which is not provided for in our law or that perhaps certain liberties could be taken with the law.

We in the Department and our consular officers in the field are just as understanding of and as sympathetic toward the problems of people like Mr. Eisler as these other well-meaning people, but, of course, our attitude in these matters must be in accord with the law. There is nothing that we can do or suggest that Mr. Eisler should do that does not fall within these statutory prescriptions.

The letter of Mr. Stephens which you sent me does clarify one situation and it gives us for the first time the definite information that Mr. Eisler was not a professor of music abroad within the letter and spirit of the law through which he could be given nonquota status. It is not clear that he would have to come into this country for permanent residence on non-preference-quota status. As he is not now on the registration list of the German quota, to which I believe he belongs, and could only get on such a list by leaving this country, the problem, of course, is a very difficult one.

I do not believe that it would serve any useful purpose to answer the letter of Mr. Stephens in any detail. I believe that the best thing to do would be to tell Prof. Alvin Johnson of the New School of Social Research, and who is very much interested in Mr. Eisler, that if he would get in touch with me or with Mr. Messersmith here in the Department the next time he comes to Washington, we would be very glad to go into this matter with him. Professor Johnson has had a good deal of experience in matters of this kind, and I am sure that the interests of Mr. Eisler would be much better served by Professor Johnson taking it up with us in this personal way when he may be in Washington, rather than in endeavoring to do so by letter.

Believe me, with very good wishes,

Sincerely yours,

[SUMNER WELLES.]

May I make a correction for the record, Mr. Stripling?

MR. STRIPLING. Yes, sir.

MR. WELLES. In the fourth paragraph of this letter, I read it:

It is not clear that he would have to come into this country.

It should read:

It is now clear that he would have to come into this country for permanent residence on non-preference-quota status.

MR. STRIPLING. All right.

Now, Mr. Chairman, I have a letter written on the letterhead of the National Arts Club, 15 Gramercy Park, New York, N. Y., dated March 2, 1939, addressed to Mr. Sumner Welles, Under Secretary, State Department, Washington, D. C., reading:⁴⁸

MY DEAR MR. WELLES:—

This letter, Mr. Chairman, was written by Donald Stephens. The first paragraph states:

Our esteemed mutual friend Mrs. Eleanor Roosevelt has been good enough to show me your letters of February 10 in which you made observations relative to my letter of February 3 regarding the case of my friends Mr. and Mrs. Hanns Eisler. A case of gripe, coupled with accumulated work, has delayed my reply.

I have followed your suggestion and have talked with Mr. Alvin Johnson of the New School of Social Research. He, of course, will be glad to do as you say and call on you on his next trip to Washington. However, he is extremely busy here in New York and does not know when he will go to Washington next.

⁴⁸ See appendix, p. 191, for exhibit 60.

In the meantime I hope it may be possible for you to relieve the great suspense under which Mr. and Mrs. Eisler naturally live by clearing up some of the uncertainties in this case.

I was glad to learn from your letter that you and the State Department and consular officers in the field have a sympathetic feeling for the problem of people like the Eislers. Of course, you cannot do anything which is not in accordance with the law—and let me assure you that none of us interested in the Eisler case desire any steps contrary to law be taken.

It seems to me under the circumstances that our viewpoints are similar and I feel that, therefore, our objective must be the same. * * * We all feel great sympathy for an unfortunate couple from a foreign land who seek asylum in the United States because they have lost their country through anschloss and cannot return to their homeland without arrest and probable death because they were opposed to Mr. Hitler.

Without any reason having been given, entry under the German quota was blocked until almost all possibility for entry into the United States under it before 3 years have elapsed has disappeared. It is the belief of the Eislers and their friends that this was done through false accusations against them by someone. But all efforts by them, their attorneys, and their friends over a period of almost a year to discover why action on their case was blocked and who accused, and of what they were accused, have proven fruitless.

Since the charges against Mr. and Mrs. Eisler originated here in the United States and not in Cuba, and since you say you have them in the files of the State Department, is it not possible under the law to have a hearing in New York or Washington in which these charges could be preferred and the Eislers be given a chance to answer them?

If a formal hearing is not possible, might it not be possible to have an informal hearing which would achieve the same ends?

As I said in my letter to Mrs. Roosevelt, I do not know the intricacies of the law and procedure, but I am sure there must be some way in which the Eislers could be appraised of the details of the case against them and allowed to reply to the accusations.

You, being so intimately conversant with both the law and procedure, no doubt could see ways of helping the Eislers out of the dilemma in which they find themselves. Feeling sympathetically disposed toward them, I am sure that you can think of some way to help. Let me put this hypothetical question: What would you suggest if your brother and his wife were in the same unfortunate plight as that in which the Eislers find themselves? Surely there must be some answer other than the advice to penniless emigrés that they go to Cuba, where they have no friends nor opportunities to make a living, and somehow eke out an existence there for several years until they could come in under a new quota.

The problem, it seems to me, resolves itself into two parts:

(1) A hearing in this country in which the Eislers would have an opportunity to learn the case against them and defend themselves;

(2) And if, as we believe, they will be found to have been innocent of the charges, that the best solution under the circumstances would be found for them.

Sincerely yours,

DONALD STEPHENS.

Do you recall receiving that communication?

MR. WELLES. I think this is the communication, Mr. Stripling, as I said before, that was enclosed with Mrs. Roosevelt's memorandum—or is this a later one?

MR. STRIPLING. That is the later one.

MR. WELLES. I do not now recall it, but I am quite sure that I never replied to it personally.

MR. STRIPLING. You would refer that to Mr. Messersmith?

MR. WELLES. That would have been referred to some other official of the Department, presumably Mr. Messersmith in this case.

MR. STRIPLING. Mr. Welles, you are familiar with the laws of the land regarding the issuance of immigration visas or exit permits?

MR. WELLES. I believe so.

Mr. STRIPLING. Is it the policy or the law of the Department of State to grant visas to people who are Communists or who are strongly suspected of being Communists?

Mr. WELLES. Certainly not.

Mr. STRIPLING. You have heard the testimony and the evidence which was presented here today. Are you of the opinion that Mr. Eisler was inadmissible at the time he applied for a nonquota visa in Habana, Cuba, in 1939?

Mr. WELLES. Mr. Chairman, I would like to make a statement of one or two sentences in reply to that question, with your permission.

It is very easy, Mr. Chairman, for officials of this Government, or ex-officials of this Government, to be accused of negligence or dereliction on account of hindsight. It is perfectly obvious that if some of the facts that have now been brought out by this committee had been in my possession at that time, the action which I took would probably have been more far reaching and more careful, but I also want to make this point, Mr. Chairman: At the time of which we are speaking the atrocities that had been committed in Germany had already been going on for some years. I think there is no responsible official of the Department who is not anxious to have the United States live up, within all proper limits of security, to its great record and its great traditions as a home for the refugees from political persecution and from racial and religious persecution. And I think for that reason, Mr. Chairman, that insofar as we felt it possible within the limits of the law and of security of the country, that in cases of that kind we always gave the most sympathetic consideration.

It is for that reason that I wanted to answer to Mr. Stripling's question that, of course, a great deal of this information now available to me and to my associates was not available. We didn't have the means of having it available. And the Department as early as the early winter of 1941 took measures to strengthen up the security regulations with regard to the issuance of visas. An interdepartmental committee was constituted; a higher board was set up within the Department of State. Of course, cases of this kind make it very clear indeed that those measures of precaution and security should have been taken earlier.

Mr. STRIPLING. Mr. Chairman, I would like to follow that point. I asked Mr. Welles if Mr. Eisler, in his opinion, would qualify for admission in 1939 if the Department had before them evidence or information that he was a Communist.

Mr. WELLES. Any evidence which is conclusive proof, Mr. Stripling, that the applicant for visa is a Communist, of course, automatically disqualifies him from a visa. I would not attempt to set myself up as a court here individually to pass on this particular case.

Mr. STRIPLING. I realize, Mr. Welles, that according to the file, you had no personal knowledge of that. However, I do want to get clear before the committee the fact that if Eisler was a Communist, even though he might characterize himself as a refugee, he was not admissible to the United States?

Mr. WELLES. The law makes that entirely clear, and I have always held that to be so.

Mr. STRIPLING. Mr. Eisler could have gone to Moscow as he had been doing. The United States was not the only haven for Mr. Eisler. Of course, he subsequently went to Mexico City.

You did not read the summary of the Labor Department's file which was prepared by the Visa Division of the Department of State on the case, did you, Mr. Welles?

Mr. WELLES. Not to the best of my recollection, Mr. Stripling.

Mr. STRIPLING. Mr. Chairman, I will reserve this memorandum until Mr. Messersmith is called. I would like to point out, however, that on October 24, 1939, the State Department had in its file on Mr. Eisler a résumé of the material at hand on him; the summary and commentary on that states, "The evidence establishes preponderantly that Eisler is a Communist."

The CHAIRMAN. May I ask if that document was in the file of the State Department at the time Mr. Welles speaks of?

Mr. STRIPLING. It was. However, there is nothing in the file to indicate that Mr. Welles ever saw the file or examined the file.

Now, Mr. Chairman, there are a number of people who interceded—prominent people who interceded—in behalf of Mr. Eisler. Those will be brought out when Mr. Messersmith takes the stand. The only reason Mrs. Roosevelt has been brought into it is because it was from her that Mr. Welles received these communications. So far as we have been able to determine from the files, this is the only matter in which Mr. Welles enters into this case.

I have no further questions of him.

The CHAIRMAN. Mr. McDowell.

Mr. McDOWELL. I have no questions.

The CHAIRMAN. Mr. Wood.

Mr. WOOD. Mr. Welles, I noticed in one of your replies to a question you mentioned a Professor Johnson. What is Professor Johnson's connection? What did he do? Who is he?

Mr. WELLES. Dr. Alvin Johnson, I think, is now president emeritus of the New School for Social Research in New York City. At this time he undoubtedly was the active president of that organization.

Mr. WOOD. It was also pointed out in the letter that was read that he had opportunity to familiarize himself with the workings of the Department of State in connection with matters of this sort. Had he been interesting himself prior to this time in the admission of people into this country?

Mr. WELLES. I think that wording, Mr. Representative, is used in this draft on account of the fact that the New School for Social Research had given an opportunity for livelihood to a great many refugees, professors who had sought refuge in this country, and otherwise had no means of getting their livelihood, and for that reason, presumably, he was familiar with the procedures necessary.

Mr. WOOD. Are you, Mr. Welles, in position to give the committee any information as to the character of people whose admission has heretofore been advocated by Professor Johnson?

Mr. WELLES. Not more than in general terms such as I already have, Mr. Representative. I have known one or two of them personally in more recent years.

The CHAIRMAN. Mr. Rankin.

Mr. RANKIN. Mr. Welles, as I understood, if you had been in possession of all the information that has been developed here, it would

have been your opinion that Eisler would not have been admissable to the United States?

Mr. WELLES. I would most certainly, Mr. Congressman, have requested that a far more searching and far-reaching investigation be made than that which took place.

Mr. RANKIN. If you had had the information that has been developed here?

Mr. WELLES. That is correct.

Mr. RANKIN. That is all.

The CHAIRMAN. Anything further?

Mr. STRIPLING. No more questions of Mr. Welles.

The CHAIRMAN. Thank you very much, Mr. Welles. You are excused.

Mr. WELLES. Thank you, Mr. Chairman.

The CHAIRMAN. The committee will stand in recess until 10:30 tomorrow morning, at which time Mr. Messersmith will be the first witness.

INVESTIGATION OF UN-AMERICAN PROPAGANDA ACTIVITIES IN THE UNITED STATES

THURSDAY, SEPTEMBER 25, 1947

HOUSE OF REPRESENTATIVES,
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

The committee met at 10:30 a. m., Hon. J. Parnell Thomas (chairman) presiding.

The CHAIRMAN. The meeting will come to order.

The record will show that a subcommittee is present. Those present are Mr. McDowell, Mr. Thomas, and Mr. Rankin was here but he left the room. He will be back in about an hour.

Staff members present: Mr. Robert E. Stripling, investigator, and Mr. Louis J. Russell and Mr. Donald T. Appell, investigators.

The first witness will be Mr. Savoretti?

Mr. STRIPLING. Mr. Savoretti: yes, sir.

The CHAIRMAN. Who is this other gentleman?

Mr. SAVORETTI. Mr. Porter of the Inspection Office of the Service.

The CHAIRMAN. Will you rise and be sworn, please.

Do you solemnly swear that the testimony you shall give shall be the truth, the whole truth, and nothing but the truth?

Mr. PORTER. I do.

The CHAIRMAN. Mr. Savoretti was sworn yesterday.

Mr. STRIPLING. Mr. Chairman, Mr. Porter may testify this morning and may not, but it is just as well that he be sworn.

TESTIMONY OF JOSEPH SAVORETTI (ACCOMPANIED BY CLARENCE R. PORTER)

Mr. STRIPLING. Mr. Savoretti, do you have the file of the Immigration and Naturalization Service with you?

Mr. SAVORETTI. Yes, I have.

Mr. STRIPLING. I would like for you to give the committee in chronological order Hanns Eisler's entrances and departures into the United States and from the United States and his various applications extensions, and so forth, up to the time he applied for a nonquota visa to the consul at Habana, Cuba, which was in 1939.

Mr. SAVORETTI. Johannes Eisler was first admitted to the United States as a temporary visitor in February 1935. He arrived on the steamship *Berengaria* at the port of New York and was admitted for a period of 3 months. His occupation was shown as music composer. He was accompanied by a cousin, Louise Yolesch, probably the same individual who later became his second wife. He claimed to have been born in Leipzig, Germany.

Eisler next arrived in the United States on October 4——

The CHAIRMAN. Excuse me, Mr. Savoretti.

The record will show that Mr. Wood is present.

Mr. SAVORETTI. Eisler next arrived in the United States on October 4, 1935, on the steamship *Lafayette*, and he was then admitted for a period of 6 months. The indications from the file are that he remained in the United States only a period of 3 months.

Eisler next arrived in the United States accompanied by his second wife, having been divorced from his first wife in Austria, on January 21, 1938, and was then admitted as a temporary visitor for a period of 6 months upon presentation of a passport visa issued by the American consul at Prague, Czechoslovakia, on December 18, 1937.

In June 1938, Eisler requested an extension of his term of temporary stay for 3 months, his previous admission having been on January 21, 1938, on the steamship *Lafayette*.

Notations, according to the file, were made, first that he should be allowed to remain for the period of his teaching engagement at the New School for Social Research, and a later notation appears on the file, in pencil, "For 6 months," and on August 5, 1938, the Acting Secretary of Labor signed an order permitting Eisler and his wife to remain in the United States until January 21, 1939.

Mr. STRIPLING. Mr. Savoretti, is there anything in your file to indicate when Mr. Eisler came to the United States for the purpose of teaching at the New School for Social Research?

Mr. SAVORETTI. May I proceed in chronological order?

Mr. STRIPLING. Yes, please.

Mr. SAVORETTI. The verification of his arrival at the time of his entry at New York on the steamship *Berengaria* on February 13, 1935, shows that his purpose in coming to the United States was for a temporary visit. It doesn't indicate just exactly what he intended to do when here.

Mr. STRIPLING. There is a special statute which provides for the admission of professors for the purpose of teaching?

Mr. SAVORETTI. That is correct.

Mr. STRIPLING. Did he apply for admission under that statute?

Mr. SAVORETTI. Not at this time.

Mr. STRIPLING. Not at that time?

Mr. SAVORETTI. No, sir; he did not.

The file further shows that a memorandum dated November 23, 1938, indicates that Eisler and his wife had submitted applications to the American consul at Habana, Cuba, for the issuance of quota visas in order that they might make their permanent home in the United States.

Mr. STRIPLING. Would you repeat that date?

Mr. SAVORETTI. November 23, 1938.

Mr. STRIPLING. Does your file show who made the application for the Eislers, what law firm?

Mr. SAVORETTI. I have a letter here dated May 20, 1938, from the firm of Soffer & Rediker, of 150 Broadway, New York, addressed to the Labor Department, Washington, D. C.

Johannes Eisler and his wife have applied for a quota visa to the American consul general at Habana, Cuba. Amongst the papers which they submitted to the consul general was an offer for a contract from the New School for Social Research, copies of which I am enclosing herewith. We understand that they require a permit from your Department in connection with this application, and

would appreciate it if you can either send such a permit or advise us how to obtain it for the Eislers. If you desire to write to them directly they reside at 225 West Sixty-ninth Street, New York.

And the letter is signed "Soffer & Rediker."

MR. STRIPLING. Mr. Savoretti, in ordinary procedure if a person applied to a foreign port for a visa would that person be residing in the country in which he intended to enter? For example, wouldn't the applicant have to go to Habana in this case in order to apply properly?

MR. SAVORETTI. That is correct. Visas cannot be issued in the United States. The applicant must obtain the visa from an American consul stationed abroad.

MR. STRIPLING. He has to appear before the consul?

MR. SAVORETTI. That is correct.

MR. STRIPLING. I want to make that point clear, Mr. Chairman. What happened, as will be developed, in this case Mr. Eisler, through influence, attempted to assure issuance of visa before he left the United States to go to Habana. In other words, he didn't want to take the chance of leaving this country, going to Habana, and then being denied, thus having to reside and remain in Habana, or elsewhere. I understand from Mr. Savoretti that is an unusual procedure—or is it?

MR. SAVORETTI. Would you mind repeating that?

MR. STRIPLING. In other words, if a person is going to apply for a nonquota visa to enter the United States that person is usually in a foreign country?

MR. SAVORETTI. That is correct.

MR. STRIPLING. He is not then in the United States?

MR. SAVORETTI. That is correct; usually.

MR. STRIPLING. Yes.

MR. SAVORETTI. There are some agents who are in the United States and do make applications for visas.

Let me put it this way: They submit papers to consulates which will support an application for a visa when they appear.

MR. STRIPLING. But the consular officer does not advise him prior to his appearance that he will or will not grant it, because it is based upon what information he obtains from his investigation as to whether or not he will grant it: isn't that correct?

MR. SAVORETTI. I would say so. I can't speak for all consuls, but I think that is the general thing.

MR. STRIPLING. Go right ahead.

MR. SAVORETTI. In November 1938, the files show that the Service's complete record of the case was forwarded to the Department of State for its information and the information of the American consul at Habana.

MR. STRIPLING. Now, I think that has brought us up to the point we want. If you would step aside, Mr. Savoretti, and Mr. Porter, we will call you later.

I would like now, Mr. Chairman, to call Mr. Donald Appell, investigator for the committee.

THE CHAIRMAN. Mr. Appell, will you take the stand. Please raise your right hand.

Do you solemnly swear that the testimony you will give will be the truth, the whole truth, and nothing but the truth?

Mr. APPELL. I do.

The CHAIRMAN. Sit down.

TESTIMONY OF DONALD T. APPELL

Mr. STRIPLING. State your full name, Mr. Appell.

Mr. APPELL. Donald T. Appell.

Mr. STRIPLING. And you are an investigator for the Committee on Un-American Activities?

Mr. APPELL. That is right, sir.

Mr. STRIPLING. You were appointed in January of this year?

Mr. APPELL. That is right, sir.

Mr. STRIPLING. And prior to your appointment you were in the Army?

Mr. APPELL. I was, sir.

Mr. STRIPLING. You were an officer in the Army?

Mr. APPELL. I was a captain in the Finance Corps.

Mr. STRIPLING. As a fiscal officer in the Army, did you conduct investigations, make audits, and that type of work?

Mr. APPELL. I audited all types of Army accounts.

Mr. STRIPLING. You were also an employee of the Bureau of the Budget—

Mr. APPELL. That is correct, sir.

Mr. STRIPLING. Prior to your employment with the Committee on Un-American Activities?

Mr. APPELL. That is correct.

Mr. STRIPLING. Were you directed by the committee in the early part of this year to go to New York and to make an investigation as to Mr. Eisler's status as a professor with the New School of Social Research in New York?

Mr. APPELL. I was, sir, and I conducted an investigation into the activities of Hanns Eisler as a visiting lecturer and professor in music with the New School for Social Research, 66 West Twelfth Street, New York City.

Mr. STRIPLING. I may say, Mr. Chairman, the purpose of Mr. Appell's testimony is to show that Mr. Eisler's position as professor with the New School of Social Research was used merely as a subterfuge in order for him to remain here. You recall Mr. Welles' letter read yesterday of February 10, 1939, to Mrs. Roosevelt, in which he stated:

The letter of Mr. Stephens which you sent me does clarify one situation and it gives us for the first time the definite information that Mr. Eisler was not a professor of music abroad within the letter and spirit of the law through which he could be given nonquota status.

Now, Mr. Appell went to the New School of Social Research and examined their files and interviewed officials to determine whether or not Mr. Eisler did in fact serve as a professor, and just how it was arranged.

Will you proceed now to relate to the committee the results of your investigation, Mr. Appell.

Mr. APPELL. Yes, sir.

The investigation made by me was conducted on April 18, 1947. Interviewed were Director Bryn J. Hovde, Dean Clara Mayer, of the School on Philosophy and Fine Arts, and Issai Hosioski, treasurer of the institution. Dr. Hovde joined the school as director in December of 1945 and was not familiar with the activities of Hanns Eisler. Dean Clara Mayer did not clearly recall how Hanns Eisler first became associated with the school, but states that his appointment grew out of the recommendations of several of the school faculty who were familiar with Eisler's musical accomplishments. Eisler joined the school on October 5, 1935.

A review of the correspondence file dealing with Eisler discloses that on May 2, 1935, Alvin Johnson, then director of the school, wrote Eisler at 18 West Seventy-fifth Street, New York City, that he was appointed visiting professor of music for the academic year 1935-36, the term to begin October 1, 1935.⁴⁹ In the letter he was guaranteed a salary of \$2,000 for the year, payable monthly, in advance, from the first of October. However, the pay-record cards disclose that during his entire period of association with the New School for Social Research, from October 5, 1935, through May 13, 1942, Eisler was never on a contract salary basis as a lecturer of music but, rather, received compensation equaling 50 percent of the fees paid by the students attending his lectures.

On the same day that Dr. Johnson offered Hanns Eisler the appointment as lecturer of music, a group of people were meeting in the interest of Eisler. A member of this group was Nathan Frankel—

The CHAIRMAN. The record will show that Mr. Rankin is present.

Mr. APPELL. Mr. Nathan Frankel, of 2 Lafayette Street, New York.

On the following day, May 3, 1935, Nathan Frankel addressed a communication to Director Johnson of New School for Social Research, from which I will quote a part:

In behalf of a group of people who are very much interested in helping provide a field where the talents of Hanns Eisler can be exercised to influence the direction of musical composition and appreciation, Mr. Carl Hauser, who was present at this meeting yesterday with Hanns Eisler, has suggested that we communicate with you. We are perfecting our plans to raise whatever funds might conceivably become necessary to supplement the income he would derive from the courses conducted by him, to provide for his living expenses here.

Alvin Johnson, in reply to the above, dated May 5, 1935, stated:

We decided on a full year, because otherwise he could not get a full year's visa and he might have difficulty in getting the visa extended.

Mr. Chairman, the records of the Committee on Un-American Activities disclose that one Nathan Frankel of 50 Malton Street, Kings, New York, was a signer of the New York State-wide nominating petition for Communist Party candidates in the year 1942. Nathan Frankel was a member of the National Lawyers Guild which has been denounced by many prominent lawyers and which was cited by the special Committee on Un-American Activities as a Communist Front organization. The Daily Worker of February 17, 1939, page 2, shows that Nathan Frankel was a member of the lawyers committee on relations with same, and was the signer of an appeal to lift the Spanish embargo. Nathan Frankel was also a contributor to the official Communist publication New Masses, issue of January 19, 1937, page 24.

⁴⁹ See appendix, p. 191, for exhibit 61.

To raise the funds mentioned in Nathan Frankel's letter, there was established the Hanns Eisler Scholarship Fund Committee. This committee in soliciting funds used the letterhead of the New School for Social Research.⁵⁰ Mrs. Eva Robin, of 77 Park Avenue, New York City, was the chairman, Dr. Alvin Johnson, treasurer, and Nathan Frankel, secretary. The only fund-raising activity in addition to this letter evident in the files of the New School was a buffet supper at the home of Mrs. Robin at \$1 per plate.

After Hanns Eisler departed from the United States, he regularly corresponded with Dean Clara Mayer of the New School for Social Research.

Mr. STRIPLING. You mean when he departed in 1935?

Mr. APPELL. In 1936, sir. He started with the school in October 1935, after he had returned to the United States from a visit to Russia.

After Hanns Eisler departed from the United States he regularly corresponded with Dean Clara Mayer of the New School for Social Research. From a letter dated October 4, 1937, addressed to Dean Clara Mayer and written by Hanns Eisler, from Prague, Czechoslovakia,⁵¹ I will read two sections, one of which conclusively shows that the New School for Social Research was used as the means of obtaining Eisler's admission into the United States.

The first quote, Mr. Chairman, is:

I wish to thank you most cordially: for your letter proves to me anew in what a comradely way you have stood up for me.

The postscript to this letter reads—

The CHAIRMAN. Who wrote that letter?

Mr. APPELL. Hanns Eisler to Dean Clara Mayer of the New School for Social Research.

The postscript to this letter reads:

May I refer to the school in my visa application? For that purpose a document would be necessary, or shall I again travel on a visitor's visa, and shall I thereon refer to the school? I shall be most grateful to you for this information.

In a little over a month, Mr. Chairman, on November 12, 1937, Dr. Johnson offered Eisler an appointment as a lecturer in music for a second term, beginning February 1, 1938. Apparently this letter did not satisfy the requirements of the visa authorities for a month later, on December 14, 1937, Dr. Johnson advised Eisler that the board of trustees had elected him a lecturer in music for the 2-year period 1938-39, salary \$1,200, payable monthly, in advance, beginning February 1, 1938.

With this letter Eisler obtained a visitor's visa, returned to the United States, and resumed his lectures at the New School on February 2, 1938.

In March of 1938, Eisler requested that Dean Mayer intercede in his behalf to the American consul at Habana, Cuba, where he was contemplating making application for a permanent visa. Apparently Dean Mayer turned Eisler's request over to Dr. Johnson, because, on March 29 Dr. Johnson addressed a letter in Eisler's behalf to the consul at Habana, Cuba.⁵² On the same date, March 29, 1938, Dr. Johnson, with the apparent purpose of qualifying Eisler as a nonquota visa applicant,

⁵⁰ See appendix, p. 191, for exhibit 62.

⁵¹ See appendix, p. 191, for exhibit 63.

⁵² See appendix, p. 191, for exhibit 64.

changed Eisler's status at the New School from lecturer in music to professor of music.⁵³

In this letter, which was written at the time Eisler was under a letter contract which would run until the end of 1939, Dr. Johnson stated that the New School and its students were so enthusiastic over his work as a visiting lecturer that they wanted him to remain permanently. Therefore, the appointment committee authorized the president to extend a 5-year appointment with the title of professor of music at a salary of \$3,000 a year.

Mr. Chairman, with respect to this appointment which was prompted by the overwhelming enthusiasm of the New School and its students, I should like to refer to the pay record and attendance cards of the New School for Social Research in substantiation of the overwhelming enthusiasm.

I have here, Mr. Chairman, the photostatic copies of pay records and attendance cards of the New School for Social Research.⁵⁴ In the two courses conducted by Eisler from October 5, 1935, to January 18, 1936, no more than eight students attended the course on "Musical composition" and only three attended the course on "The crisis of modern music."

The cards further show that while Eisler was to receive \$2,000 for the year, payable monthly in advance, he received only \$100 for lecturing for 4 months, and this \$100 was paid from the Eisler scholarship fund. As a matter of fact, Mr. Chairman, the records show that the New School sustained a loss of \$34.77 on these two courses.

In the three courses Eisler conducted starting February 2, 1938, and ending May 14, 1938, while under a letter contract calling for payment of \$3,000, Eisler received from the three courses only \$163.25, of which \$100 came from the Eisler scholarship fund, and on March 29, 1938, when Dr. Johnson wrote the letter prompted by the overwhelming enthusiasm, Eisler had seven students attending the lecture on "Musical composition," one student attending the lecture on "Counterpoint," with the third course having been canceled after the first lecture.

On June 20, 1938, after Dr. Johnson had been in contact with various Government officials, as has been brought out in this hearing, and had been advised that Eisler's visa was being held up, he wrote Hanns Eisler at the Parsens House, Lake Road Valley Cottage, New York, as follows:

I understand that your visa is being held up because you have been boosted by the Daily Worker as a "Comrade," that is, as a Communist. I personally have no prejudice against Communists and can see no earthly reason why a good Communist should not be a good musician.

Mr. McDOWELL. Who is saying this?

Mr. APPELL. Dr. Johnson.

I am urged to communicate with the Department in question denying that you compromise with the Communist Party. If it is not true, of course, I cannot be expected to make a statement to that effect. Will you tell me frankly how this matter stands with you?

On June 21, 1938, Eisler replied to this letter, stating:⁵⁵

⁵³ See appendix, p. 191, for exhibit 65.

⁵⁴ See appendix, p. 191, for exhibit 66.

⁵⁵ See appendix, p. 191, for exhibit 67.

I greatly appreciate your sustaining help concerning our visa. As you know so different newspapers as New York Times, Herald Tribune, and various musical periodicals, have written about me as a progressive musician. It is certainly more incidental that only the Daily Worker has been picked out among these papers by the Immigration Department in order to compromise me with the Communist Party. You know my sympathies are anti-Fascistic, but I assure that I am not a member of any political party, neither the Communist Party. I am a composer. All my aims are musical ones, and I see everything from the musical point of view.

On June 22, 1938, Johnson addressed a letter to James L. Hough-
teling, Commissioner of the Bureau of Immigration and Naturaliza-
tion, from which I quote: ⁵⁶

I am quite aware of the difficulties confronted by our own musicians and that there is every reason for not employing an alien where an American could be employed. But this is a special case of a man who has a special ability to contribute to this country just at a time when all signs point to a renaissance of song and music and indeed every variety of amateur music. Besides, the special fund out of which we should pay his salary would not be available for an American composer even if I knew of one who could answer the same purpose, which I do not.

Referring again to the pay cards for the courses Eisler taught, it appears as of January 18, 1936, the fund amounted to only \$132.50 and that by March 26, 1938, only an additional \$100 had been raised, which sum was paid to Eisler on this date and apparently exhausted the fund.

It seems to me that Dr. Johnson attempted to influence the decision of the Immigration and Naturalization Service by referring to this fund as a means of payment available to Eisler but not available to an American composer when, in fact, the fund hardly existed from a monetary point of view.

The next correspondence in the file is a letter of March 24, 1939, from Dr. Johnson in which he offers Eisler an appointment as professor of music for a period of 5 years, beginning September 1, 1939, salary being fixed at \$3,000 per annum. This notice of employment was issued at the time Eisler was preparing to depart for Mexico to make application for his nonquota visa. It was issued apparently for the purpose of influencing the American Consul to expedite the issuance of the visa in order that Eisler return to New York by September.

The appointment, however, was not necessary as on March 29, 1938, at the time Eisler was preparing to depart for Habana, Cuba, he was extended a 5-year contract at the same salary and with the same title.

On September 6, 1939, Johnson wired Eisler at Av. Ajusio 105, Lomas de Chapultepec, Mexico, D. F.:

Washington advises make application for temporary visa on Nansen passport and return to teaching at New School. Come immediately.

The CHAIRMAN. Just a moment. I want to get that straightened out.

Mr. STRIPLING. Mr. Chairman, that will be brought out later through other witnesses.

When Mr. Eisler was in Mexico—yon see, he was ordered to depart. The warrant was never served—

The CHAIRMAN. Who sent that wire?

Mr. APPELL. Dr. Johnson sent that to Eisler who was then living at Avenue Ajusio 105, Lomas de Chapultepec, Mexico, D. F.

⁵⁶ See appendix, p. 191, for exhibit 68.

As Mr. Eisler testified yesterday, the Nansen or visitor's passport was issued and Eisler again returned to the United States and resumed teaching with the New School until April 10, 1942, except for the time he returned to Mexico and obtained his nonquota visa.

Mr. STRIPLING. Since this has come up: He applied for admission as a professor under section 4-D as a professor. The Board of Immigration Appeals declined the admission. However, he appealed to Washington and the Board of Immigration Appeals here in Washington reversed the original board and said that he was a professor. We have the decision in the case in which they set forth in their judgment he was a professor, and so forth, which will be put in through other witnesses.

Mr. APPELL. I would like, Mr. Chairman, to read from the photostatic copies of the pay and attendance cards of the New School for Social Research the number of students and the compensation which Eisler received for each of these courses, covering his entire period of association with the New School for Social Research.

Mr. STRIPLING. Mr. Chairman, do you want him to read those?

The CHAIRMAN. How many are there?

Mr. APPELL. About 13, Mr. Chairman.

The CHAIRMAN. I think we ought to have them in the record.

Mr. APPELL. Course 93, Musical Composition, from October 5, 1935, to January 18, 1936, which was coupled with course 99, the Crisis of Modern Music, Eisler received total compensation of \$100, which sum was charged against the Hanns Eisler Scholarship Fund.

For the course 98 there were eight pupils. For course 99 there were three pupils.

The CHAIRMAN. Now, the Chair would like to ask if most of these records are similar to that one?

Mr. APPELL. Yes, sir.

The CHAIRMAN. Is there any objection to placing them in the record?

If not, we will place them in the record at this time.

Mr. RANKIN. It is all right with me.

The CHAIRMAN. It is so ordered. They will be placed in the record at this point.

(The record above referred to is as follows:)

Course	Title	No. of lectures	Nature of contract	Payments to Eisler
98—Oct. 5, 1935-Jan. 18, 1936.	Musical Composition.	15	\$1,000 per term, monthly in advance.	\$100 charged to Eisler fund (loss to school on courses 98 and 99, \$34.77).
99—Oct. 5, 1935-Jan. 18, 1936.	The Crisis of Modern Music.	15	.....do.....	Coupled with course 98.
64—Feb. 2, 1938-Apr. 20, 1938.	The Future of Music.	1	50 percent net receipts.	Course discontinued Feb. 2, 1938.
65-A—Feb. 5, 1938-May 21, 1938.	Counterpoint.....	10	.....do.....	\$20 representing 100 percent payment.
65-B—Feb. 5, 1938-May 14, 1938.	Musical Composition.	15	.....do.....	\$143.25, of which \$100 was charged against scholarship fund.
99—Oct. 5, 1938-Jan. 25, 1939.	Music as Human Expression.	15	.....do.....	\$204.
100—Oct. 8, 1938-Feb. 18, 1939.	Musical Composition.	13	50 percent net receipts.	\$43.25 representing 100 percent payment.
58—Feb. 8, 1939-May 24, 1939.	Introduction to Music—What We Must Know.	15	.....do.....	\$153.91.
61—Feb. 11, 1939-May 20, 1939.	Musical Composition.	8	.....do.....	\$1. Course discontinued Apr. 1, 1939.

Course	Title	No. of lectures	Nature of contract	Payments to Eisler
98—Oct. 4, 1939-Jan. 24, 1940.	Introduction to Music—What we Must Know.	15	50 percent net receipts.	\$267.84.
101—Oct. 4, 1939-Jan. 24, 1940.	Musical Composition.	15	do	\$19.38.
71—Mar. 13, 1940-May 29, 1940.	Introduction to Music—What we Must Know.	12	do	\$144.63.
73—Mar. 13, 1940-May 29, 1940.	Musical Composition.	5	do	No payment. Course discontinued Apr. 21, 1940.
141—Oct. 30, 1940-Jan. 2, 1941.	The Art of Listening to Music.	15	do	\$207.88.
100—Feb. 3, 1941-May 12, 1941.	do	15	do	\$238.35.
172—Sept. 30, 1941-Jan. 13, 1942.	do	15	do	\$416.68.
1932—Feb. 4, 1942-May 13, 1942.	do	15	do	\$65.89.**
Total.				\$2,026.06.

Mr. STRIPLING. Mr. Appell, did you also investigate to determine whether or not the Rockefeller Foundation made a grant to the New School for Social Research, which grant was to be used for musical composition under the direction of Mr. Eisler?

Mr. APPELL. Yes, sir; I did, and the record of the new school reflects that Hanns Eisler, through the New School for Social Research, received a Rockefeller Foundation in the amount of \$20,160.

Mr. Chairman, on May 27, 1947, you addressed a letter to Raymond B. Fosdick, president of the Rockefeller Foundation, asking for the complete report on the grant which the Foundation made to Mr. Eisler, and on June 4, 1947, Mr. Fosdick referred you to the 1940 annual report of the Rockefeller Foundation, page 316.⁵⁷

While this report is reprinted in full in Mr. Fosdick's letter of June 4, I should like to quote two sections of that report:

The request for this grant was in the first instance presented orally to Mr. John Marshall, Associate Director of the Humanities Division of the Foundation, by Dr. Alvin Johnson, Director of the New School for Social Research.

This, however, Mr. Chairman, does not appear to be the fact, because in the files of the New School for Social Research there appears a letter from Joseph Losey, dated September 26, 1939, in which he states—

The CHAIRMAN. Who is that letter from?

Mr. APPELL. Joseph Losey.

I approached John Marshall of the Rockefeller Foundation on Hanns' behalf. Mr. Marshall said that the Foundation had a policy which you know of making grants to assist scholars of indisputable eminence to establish themselves here. Hanns' work on films, and so forth, will not qualify him as a scholar, but I believe the research he is doing for you might. Mr. Marshall also thought so.

The second quote from the Foundation report for 1940 reads:

When the Eisler project was presented to us, we were assured that Eisler had no political interests and was entirely preoccupied with his music.

While the report does not state from whom these assurances were obtained, in my opinion no investigation was made by the Foundation.

On November 16, 1937, Dr. Johnson wrote to Mr. Marshall as fol-

⁵⁷ See appendix, p. 191, for exhibit 69.

lows, and I assume this letter was the entire assurance received by the Foundation:

After seeing you, I quizzed Eisler with the view to finding out whether he had any connection with the Communists or more particularly the Stalin-Trotsky row. In the course of discussion, I told him confidentially that you appear to have doubts about some of his friends. In this connection, I mentioned Losey. As I might have anticipated, the matter came to Losey's ears and he has set out to prove that he belongs to no Communist tribe at all. I am glad to have him prove it.

Mr. STRIPLING. Now, Mr. Chairman, the complete report from the Rockefeller Foundation I suggest be made a part of the record.

The CHAIRMAN. Without objection, it is so ordered.
(The report above referred to is as follows:)

THE ROCKEFELLER FOUNDATION,
June 4, 1947.

DEAR MR. THOMAS: I have your letter of May 27 in regard to the Hanns Eisler case, and I am glad to send you, in answer to your questions, such facts as we have in our possession.

The grant which the Foundation made to Hanns Eisler represented a phase of our program in the development of the techniques of radio and film. Perhaps I can do no better in giving you the background of the situation than to quote from page 316 of the published annual report of the Rockefeller Foundation for 1940.

NEW SCHOOL FOR SOCIAL RESEARCH

Music in film production

The Foundation made a grant of \$20,160 to the New School for Social Research for experimental studies of music in film production during the 2-year period beginning February 1, 1940. These studies are under the direction of Dr. Hanns Eisler, a member of the school's faculty and a well-known composer of music for motion pictures. His studies will deal with the possibility of utilizing new types of musical material in film production, with problems of instrumentation, music, and sound effects, and with the more esthetic problem of music in relation to the visual content of the film.

The work will culminate in the preparation and recording of different musical scores for various types of visual content. These records will be deposited in the film library of the Museum of Modern Art, where they will be available to producers and to students of the motion picture.

An earlier Foundation grant to the Stevens Institute of Technology for research in the control of sound for dramatic purposes deals with the problem of making sound a more effective medium of dramatic production. The present grant for Dr. Eisler's work recognizes the importance of a similar study of music in motion pictures.

The request for this grant was in the first instance presented orally to Mr. John Marshall, associate director of the humanities division of the Foundation; by Dr. Alvin Johnson, director of the New School for Social Research. The Foundation has long been acquainted with the work of the New School, and while we never contributed to its general support we have from time to time assisted in the work of particular scholars there, just as we have in dozens of universities and schools in the United States and abroad. We have always had the greatest respect for the integrity and loyalty of Dr. Johnson, who was director of the New School for 25 years but has now retired; and it would be difficult for us to believe that any act of his could be other than open and honorable.

When the Eisler project was presented to us we were assured that Eisler had no political interests and was entirely preoccupied with his music. Our concern, therefore, was whether from a technical point of view he was qualified by experience for the research in film music which was contemplated. We accordingly directed inquiries to the film library of the Museum of Modern Art here in New York City and to the office of radio research at Columbia University, where the director had been acquainted with Eisler's musical experience in Austria. We were completely satisfied with the information which we obtained. Eisler had been a pupil of the distinguished Arnold Schoenberg in Vienna, and was known as one of the leading composers of music for films in Europe. In

1924 he received the annual composer's award of the city of Vienna, which was one of the signal honors in European music.

The trustees of the foundation voted the grant on January 19, 1940. The annual budget of this project, which was to run for 2 years, was as follows:

(a) Salaries:

Hanns Eisler	-----	\$3, 000
Research assistant	-----	1, 440

\$4, 440

(b) Travel	-----	250
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(c) Reproduction of reports	-----	250
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(d) Expenses of demonstrations of alternate musical accompaniments	-----	5, 000
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(e) Measurement of audience reactions	-----	500
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Total	-----	10, 440
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The final payment to the New School on this pledge was made July 25, 1941. On December 10, 1941, we received a request from Dr. Johnson enclosing a memorandum from Mr. Eisler asking for a supplementary grant of \$4,900. This we declined, but we allowed the balance of the 1940 grant to be utilized for a period of 9 months beyond the original date of termination. On September 12, 1944, the New School refunded to us an unexpended balance on this appropriation of \$185.25. The Oxford University Press is publishing the result of Mr. Eisler's research under our grant in a book called *Composing for the Film*, which they are bringing out in September of this year.

With relation to your fourth question, the Rockefeller Foundation does not make contracts with recipient institutions. However, I am enclosing a copy of the resolution adopted by our trustees on January 19, 1940, which the secretary of the foundation has attested.

Sincerely yours,

RAYMOND B. FOSDICK.

[From minutes of the Rockefeller Foundation for January 19, 1940 ⁵⁸]

Resolved, That the sum of \$20,160, or as much thereof as may be necessary, be, and it hereby is, appropriated to the New School for Social Research for experimental demonstrations of music in film production over the 2-year period beginning February 1, 1940.

Attest:

[SEAL]

NORMA S. THOMPSON, *Secretary*.

Date: June 4, 1947.

MR. STRIPLING. The research, as I understand it, Mr. Appell, was in the denoting of certain sounds, like rain, by music; is that right?

MR. APPELL. Yes, sir. The foundation sets forth as its reason for these studies—

for experimental studies of music in film production * * *.

His studies will deal with the possibility of utilizing new types of musical material in film production * * *.

MR. STRIPLING. Mr. Chairman, do you want any more details on this?

THE CHAIRMAN. Have you finished?

MR. APPELL. I have with respect to the grant. That is the only thing that the file of the New School contained dealing with the Rockefeller Foundation grant.

MR. STRIPLING. Out of the \$20,000 how much did Eisler receive?

MR. APPELL. Eisler received \$8,250 as compensation for salary.

MR. STRIPLING. Do you know the rate of compensation? Do you have that there?

THE CHAIRMAN. Over how long a period was that?

⁵⁸ See appendix, p. 191, for exhibit 70.

Mr. APPELL. Mr. Chairman, I have here the expense vouchers for the entire project. The first salary payment of \$1,500 was made to Hanns Eisler on February 28, 1940.⁵⁹

Mr. STRIPLING. Mr. Chairman, I ask that those be included in the record.

The CHAIRMAN. Without objection, it is so ordered.

(The material above referred to is as follows:)

Rockefeller Music Fund—Expenses, Hanns Eisler

Date		Total amount	Research assistant, salary	Travel expenses	2 demonstrations	Audience reaction	Other expenses	Salary, Dr. Eisler
1940								
Feb. 28	H. Eisler, salary Feb. 1 to 31, 1940.	\$1,500.00						\$1,500.00
Apr. 22	Cash for metronome	5.00			\$5.00			
May 3	Preview Theater	1.00			1.00			
June 10	Associate musician	6.80			6.80			
June 24	do	8.40			8.40			
July 8	Telephone and telegraph	.45			.45			
July 3	H. Robins	120.00	\$120.00					
July 8	Associate musician	13.60			13.60			
July 9	Hammond Trust Co	1.50			1.50			
July 16	J. Horenstein	200.00			200.00			
	Musicians union	807.50			807.50			
	Sam Borodkin	14.00			14.00			
	Hardman Peck & Co	24.00			24.00			
	Hammond Trust Co	50.00			50.00			
July 17	Borodkin	12.50			12.50			
	G. Flessig	12.50			12.50			
	R. Sims	12.50			12.50			
	T. Spiwakowsky	12.50			12.50			
	A. Zakin	10.00			10.00			
		10.00			10.00			
	A. Wallis	8.00			8.00			
Aug. 2	Hanns Eisler	250.00		\$250.00				
	H. Robin	120.00	120.00					
	H. Eisler	1,500.00						1,500.00
Aug. 8	H. Robin	50.00	50.00					
Sept. 3	do	120.00	120.00					
Sept. 10	W. Wanger	16.60			16.60			
Oct. 5	H. Robin	120.00	120.00					
Oct. 7	Motion picture research project	2.90			2.90			
Oct. 31	Frontier Films	48.09			48.09			
	H. Eisler	1,000.00						1,000.00
Nov. 1	H. Robin	60.00	60.00					
Nov. 4	Arts Van Storage Co.	16.47			16.47			
Nov. 19	R. Anscer	40.00	40.00					
	Motion picture research project	5.31			5.31			
Oct. 22	Preview Theater	21.50			21.50			
	Ralph Ensor	3.67			3.67			
	Petty cash	1.59			1.59			
Dec. 10	J. Horenstein	100.00			100.00			
1941								
Feb. 1	Preview Theater	10.30			10.30			
Feb. 3	Hanns Eisler	500.00						500.00
Mar. 10	Preview Theater	5.00			5.00			
	B. Anscer	41.05			41.05			
Mar. 31	Preview Theater	9.00			9.00			
Apr. 3	Harry Robin	31.37			31.37			
May 2	H. Eisler	500.00						500.00
May 20	Preview Theater	8.50			8.50			
June 20	H. Eisler	250.00						250.00
July 31	Preview Theater	15.00			15.00			
Aug. 19	H. Eisler	250.00						250.00
Sept. 22	do	10.00			10.00			
Sept. 25	Max Goherman	652.30			652.30			
	Reeves Sound Studio	208.25			208.25			
Sept. 30	R. Kolisch	50.00			50.00			
	J. Horenstein	150.00			150.00			
	Preview Theater	2.50			2.50			
	L. A. Gostomy	300.00	300.00					
Oct. 10	M. Goherman	125.00	125.00					
Oct. 15	J. Suffer	20.00			20.00			

⁵⁹ See appendix, p. 191, for exhibit 71.

Rockefeller Music Fund—Expenses, Hanns Eisler—Continued

Date		Total amount	Research assistant, salary	Travel ex-penses	2 demon-strations	Audi-ence re-action	Other ex-penses	Salary, Dr. Eisler
Oct. 19	R. Anscher.....	\$20.00			\$20.00			
	A. Annstein.....	60.50			60.50			
Oct. 27	J. Suffer.....	35.00			35.00			
Nov. 3	M. Kenneth White.....	25.00			25.00			
Nov. 4	R. Anscher.....	15.00			15.00			
Nov. 5	Reeves Sound Studio.....	64.00			61.00			
	Preview Theater.....	7.50			7.50			
Nov. 12	H. V. Dougin.....	25.00			25.00			
	do.....	10.00			10.00			
Nov. 19	Museum of Modern Art.....	19.95			19.95			
Nov. 26	Dr. H. Eisler.....	10.00			10.00			
Dec. 1	M. Goherman.....	125.00	\$125.00					
Dec. 22	J. Schumacher.....	275.00				\$275.00		
Dec. 23	R. Kolisch.....	918.50			918.50			
Dec. 22	Soundfilm Enterprises.....	152.90			152.90			
<i>1942</i>								
Jan. 2	Preview Theater.....	6.00			6.00			
Jan. 14	Moushi Jonas.....	100.00			100.00			
	R. Kolisch.....	21.50			21.50			
	Soundfilm Enterprises.....	26.00			26.00			
Jan. 26	J. Horenstein.....	100.00			100.00			
Jan. 31	H. V. Dougin.....	30.00			30.00			
Feb. 3	L. Gostony.....	88.88	88.88					
	H. Eisler.....	250.00						\$250.00
	do.....	10.00			10.00			
	J. Ferno.....	6.00			6.00			
	Soundfilm Enterprises.....	6.00			6.00			
Feb. 14	Preview Theater.....	57.50			57.50			
Feb. 17	H. Robin.....	12.00			12.00			
Feb. 24	A. Arnstein.....	65.00			65.00			
Feb. 27	De Luxe Laboratories.....	29.08			29.08			
Mar. 2	Dr. Eisler.....	250.00						250.00
	L. Gostony.....	88.88	88.88					
	Soundfilm Transcriptions, Inc.....	5.25			5.25			
Apr. 2	Dr. Eisler.....	250.00						250.00
	L. Gostony.....	88.88	88.88					
Apr. 9	Dr. Eisler.....	550.00		\$550.00				
	Dr. Eisler salary for May.....	250.00						250.00
Apr. 13	H. Eisler.....	2.25			2.50			
	H. Robin.....	2.00			2.00			
Apr. 17	De Luxe Laboratories.....	68.56			68.56			
	Preview Theater.....	9.00			9.00			
	Reeves Sound Studio.....	9.00			9.00			
May 2	L. Gostony.....	88.88	88.88					
May 13	B. Brecht.....	250.00					\$250.00	
	A. Schoenberg.....	300.00					300.00	
June 4	Dr. Eisler.....	250.00						250.00
	L. Gostony.....	88.88	88.88					
June 24	Brandon Films.....	36.37			36.37			
July 1	Dr. Eisler.....	250.00						250.00
	L. Gostony.....	88.88	88.88					
Aug. 1	Dr. Eisler.....	250.00						250.00
	L. Gostony.....	88.88	88.88					
Sept. 1	Dr. Eisler.....	250.00						250.00
	L. Gostony.....	88.88	88.88					
Oct. 1	Dr. Eisler.....	250.00						250.00
	L. Gostony.....	88.94	88.94					
Oct. 26	Preview Theater.....	13.55			13.55			
	Ad. Weiss (union).....	1,362.50			1,362.50			
Oct. 31	H. Eisler.....	1,422.04			1,422.04			
	Total.....	18,917.70	1,980.00	800.00	7,062.70	275.00	550.00	8,250.00
Nov. 10	A. Weiss (musicians union).....	500.00			500.00			
Dec. 4	Musicians Mutual Protec-tive Association.....	57.00			57.00			
	H. Eisler f Moriola.....	14.00			14.00			
Dec. 18	R. H. Menges.....	42.75			42.75			
	H. Eisler, petty cash.....	2.49			2.49			
<i>1943</i>								
Feb. 8	Preview Theater.....	17.50			17.50			
Feb. 25	Gotham Book.....	5.15			5.15			
Mar. 1	Railway Express.....	7.13			7.13			
Mar. 12	Moviola.....	16.50			16.50			
	Bulbasor.....	70.75			70.75			
Mar. 25	Glenn Wallach's Music City.....	5.92			5.92			
	Carl Tughaus.....	50.00			50.00			

Rockefeller Music Fund—Expenses, Hanns Eisler—Continued

Date		Total amount	Research assistant, salary	Travel expenses	2 demonstrations	Audience reaction	Other expenses	Salary, Dr. Eisler
Apr. 1	Hanns Eisler.....	\$15.00			\$15.00			
	Pathé Laboratories.....	22.21			22.21			
Apr. 24	do.....	43.35			43.35			
	Pathé Laboratories.....	67.50			67.50			
	General Service Studio, Inc.	6.00			6.00			
May 14	Richardson & Richardson	75.00					\$75.00	
July 17	Reserved check for transportation	75.00			75.00			
(1)	Monthly payment for rent Moviola and Preview Theater.....	104.50			101.50			
	Total	1,197.75			1,122.75		75.00	
	Grand total.....	20,115.45	\$1,980.00	\$800.00	8,185.45	\$275.00	625.00	\$8,250.00

¹ July 1943 to June 1944.

Bills to be paid until June 30:

Preview Theater (monthly rent, \$5)..... \$14.00

Moviola (monthly rent, \$3.50)..... 7.00

Receipts..... 20,160.00

Disbursements..... 20,115.45

Balance June 30, 1944..... 44.55

Mr. STRIPLING. Proceed, Mr. Appell.

Mr. APPELL. Mr. Chairman, in questioning Dean Clara Mayer, I advised her that the pay record cards for the courses Eisler taught did not disclose where his studies had changed to the extent of changing his employment from a visiting lecturer to that of a professor of music. She advised that there was no difference between a lecturer and a professor as far as the New School was concerned. She admitted that the change was apparently made to qualify Eisler under the law for a nonquota visa.

In reply to my question: "Was it the policy of the school to make these changes for the purpose of circumventing the law?" Dean Mayer replied that they would do what they did for Eisler for anyone. Then she qualified her reply by adding, "If the person possessed musical ability comparable to that of Eisler."

Mr. STRIPLING. In that connection, Mr. Chairman, yesterday it was brought out that a number of the songs which Mr. Eisler composed the music for, the words were provided by Berthold Brecht, who will be one of the witnesses in the Hollywood investigation, who is a Communist.

Did your investigation disclose that Berthold Brecht had also been brought to this country in a similar manner by the New School?

Mr. APPELL. Apparently he was, Mr. Stripling, although there was nothing in the file to describe it. However, an investigation which I conducted in the Visa Division of the State Department disclosed there a copy of a wire dated September 24, 1940, from the American Consulate at Stockholm—the man's name was Johnson; I don't know what his status was at Stockholm, but he was official of the State Department—he referred to Brecht, saying:

Individual is a German author who came to Sweden in 1936. Went recently to Finland. Reported to have said he hopes to join friends in New York; no visa issued in Sweden. Police understand he has been in Russia and is very much to the left.

I have received a telegram for him addressed to this consulate general signed Alvin Johnson, president of New School for Social Research, offering him appointment as lecturer in literature.

Mr. STRIPLING. We will go into that later, Mr. Chairman.

Those are all the questions I have.

The CHAIRMAN. Mr. Rankin.

Mr. RANKIN. Mr. Appell, you say this was a Communist school of instruction?

Mr. APPELL. No, sir; I do not say that it is a Communist school. I don't think that there is any evidence in our records that would designate that it was.

Mr. RANKIN. It was spreading Communist propaganda?

Mr. APPELL. I can't say that the school itself—I have no evidence that the school itself, Mr. Rankin, has put out any Communist propaganda—but I know that the members of the faculty of the New School of Social Research have been checked against our files, and that a considerable number of the members of the faculty are very prominently displayed in our files.

Mr. RANKIN. Do you know whether or not Mrs. Roosevelt was familiar with that situation when she urged the admission of Hanns Eisler into the United States?

Mr. APPELL. I do not, sir.

Mr. RANKIN. You do not know?

Mr. APPELL. No, sir; my investigation dealt with the New School, and there was nothing in their file to show any connection with Mrs. Roosevelt.

Mr. RANKIN. Did you read her recent article in the Ladies Home Journal?

Mr. APPELL. No, sir; I haven't.

Mr. RANKIN. It is the most insulting, communistic piece of propaganda that was ever thrown in the faces of the women of America. I am just wondering if she was familiar with all of this Communist infiltration when she was trying to get Hanns Eisler into the United States.

Mr. APPELL. I do not know that, sir.

Mr. STRIPLING. For the benefit of the committee, I want to point out that Hanns Eisler and his wife were in the United States when Mrs. Roosevelt wrote to Sumner Welles. What they were attempting to do was to get assurances that they would be given a nonquota visa by the consul in Habana, Cuba, before they left this country. They were here. They had been here from 1938 on.

Mr. RANKIN. I want to point out that her action was not official. She did not represent the party in power in trying to get these Communists retained or readmitted to the United States. And she doesn't certainly represent the better elements of the American people in this Communist propaganda that she has written in the Ladies Home Journal.

That is all.

The CHAIRMAN. Mr. Wood.

Mr. WOOD. No questions.

The CHAIRMAN. Mr. McDowell.

Mr. McDOWELL. Do you know how old this school is, Mr. Appell?

Mr. APPELL. It was——

Mr. STRIPLING. Mr. Chairman, I have a memorandum here on the school which I will be glad to submit to the members.

(A document was handed to the chairman.)

The CHAIRMAN. I have no questions.

Thank you very much, Mr. Appell.

Mr. STRIPLING. The next witness, Mr. Chairman, will be Mr. George Messersmith.

The CHAIRMAN. Mr. Messersmith, do you solemnly swear this testimony you are about to give shall be the truth, the whole truth, and nothing but the truth?

Mr. MESSERSMITH. I do, sir.

TESTIMONY OF GEORGE S. MESSERSMITH

Mr. STRIPLING. Mr. Messersmith, do you desire counsel?

Mr. MESSERSMITH. Yes.

Mr. STRIPLING. Mr. Littell is your counsel?

Mr. MESSERSMITH. Yes, sir.

Mr. STRIPLING. Will you again identify yourself, Mr. Littell, for the record?

Mr. LITTELL. Norman M. Littell, 1422 F Street, Washington, D. C.

The CHAIRMAN. Mr. Littell, you heard the chairman's instructions to counsel for Mr. Hanns Eisler yesterday?

Mr. LITTELL. I did, Mr. Chairman. I understand that counsel is practically emasculated here.

The CHAIRMAN. Well, I wouldn't say that, but the instructions are the same today.

Mr. LITTELL. I understand that, and I understand the reasons for it fully.

The CHAIRMAN. Go ahead, Mr. Stripling.

Mr. STRIPLING. Mr. Messersmith, will you please state your full name and present address?

Mr. MESSERSMITH. My full name is George S. Messersmith. My present address is Rehoboth, Del.

Mr. STRIPLING. When and where were you born?

Mr. MESSERSMITH. I was born in Fleetwood, Pa., on the 3d of October—

Mr. STRIPLING. Will you talk into the microphone, please?

Mr. MESSERSMITH. I was born in Fleetwood, Pa., on October 3, 1883.

Mr. STRIPLING. What is your present occupation?

Mr. MESSERSMITH. I have no present occupation. I retired from the Foreign Service after more than 33 years of service on the 12th of August of this year.

Mr. STRIPLING. Will you outline for the committee some of the important posts that you have held in the Federal Government?

Mr. MESSERSMITH. In the Federal Government?

Mr. STRIPLING. Yes.

Mr. MESSERSMITH. I was appointed consul, after examination, in 1914, in the lowest grade in the Foreign Service, at Fort Erie, Canada, where I remained until 1916, when I was transferred to Antwerp, Belgium; in 1925 I was appointed consul general for Belgium and Litzenberg, and remained in charge of that office until 1928, when I was appointed consul general in the Argentine at

Buenos Aires: while I was at Buenos Aires I was also appointed as inspector of embassies, legations, and consulates, and carried on those duties in connection with my duties as consul general in Buenos Aires.

In 1930 I was appointed consul general at Berlin and remained there until the spring of 1934 when I was appointed Minister to Uruguay, but before I could proceed to that post I was appointed Minister to Austria; I remained as Minister to Austria until 1936 or 1937, I believe toward the late spring, early summer of 1937, when I was asked to return to Washington to serve as Assistant Secretary of State, and remained as Assistant Secretary of State in Washington until January of 1940, when I was appointed Ambassador to Cuba; I remained in Cuba until early in 1942, when I was asked to proceed to Mexico as Ambassador there; I remained in Mexico City until May 1946, when I was asked to proceed to Buenos Aires as Ambassador to the Argentine; I remained in the Argentine until June 22, 1947, when I returned to Washington and asked that my retirement be made effective 30 days after my arrival, which was on August 12, 1947.

Mr. STRIPLING. Mr. Messersmith, you are here in response to a subpoena which was served upon you; is that true?

Mr. MESSERSMITH. That is correct, sir.

Mr. STRIPLING. As Assistant Secretary of State, was it a part of your duties to handle cases involving the issuance of visas to persons desiring to enter the United States?

Mr. MESSERSMITH. That wouldn't be exactly the way to put it, Mr. Chairman. I was in the hierarchy of the Department. Mr. Hull, then Secretary of State, of course, had the over-all responsibility for the conduct of all of the affairs of the Department. The Under Secretary, then Under Secretary Mr. Sumner Welles, carried a great deal of this responsibility, and the Assistant Secretaries were, in many cases, directly responsible to him; that is, reporting to him.

My duties in the Department at the time were numerous. There were some 30 divisions in the Department, of which 4 were political divisions, near eastern, far eastern, European, and Latin America. Those were more directly under the immediate supervision of Mr. Welles as Under Secretary, although I intervened, because of my long experience in Europe, at the request of Secretary Hull and Mr. Welles, in a partial supervision of the European Division.

Mr. STRIPLING. Let me put it this way, Mr. Messersmith: You did, on occasion, handle visa cases?

Mr. MESSERSMITH. Well, the Visa Division was one of some, I think, 31 or 32, I haven't counted them up, divisions in the Department, divisions and offices, as we called them, who were under the immediate supervision of my office, as the administrative office of the Department, responsible for the budget and most of the affairs of the Department outside of purely political ones, and Mr. Avery Warren, now Minister to New Zealand, was at the time Chief of the Visa Division and directly responsible to me.

Mr. STRIPLING. Do you recall handling a case involving Hanns or Johannes Eisler and his wife, aliens, who had made application for an American visa under the German quota, to the consul general at Habana, Cuba?

Mr. MESSERSMITH. I remember the Eisler case, which was brought to my attention after the subpoena which was issued to me in the Hotel

Carlton here in Washington during one of my short stays here, and I familiarized—I read the file in the State Department, and that recalled my memory on the Eisler case.

The CHAIRMAN. So you do recall, then, the Eisler case?

Mr. MESSERSMITH. Yes.

Mr. STRIPLING. Could you tell the committee when the case was first brought to your attention?

Mr. MESSERSMITH. I read the file in the State Department very carefully, and I did my best to—I read it several times, and it took several readings of the case to really refresh my memory fully, or as much as it could be refreshed in view of the fact that—I think, Mr. Chairman, I should make one statement at this time in that connection.

At that time we were not in war, but the responsibilities on the State Department had already tremendously grown because of the developing situation in Europe. That meant an extraordinary increase in the volume of the work of the Department, and in its responsibilities, and there were some of us, and particularly Mr. Welles and myself, who had a very great burden to carry, and it was necessary for us to have as much help as we could get at those times under the difficult conditions in the Department—which had a very small staff.

The matters in the Visa division did not reach me unless they were referred to me when it was thought desirable that they should have my attention, or there was a question of policy or principle involved in connection with a visa matter. It was only on those occasions that they were referred to the Assistant Secretary. Otherwise, they were handled by the Chief of the Visa Division.

Mr. STRIPLING. I asked you when it was brought to your attention.

Mr. MESSERSMITH. Oh, yes. This came to my attention, I feel sure, Mr. Chairman, for the first time when Miss Dorothy Thompson communicated with me. I am not able to say whether she communicated with me by letter or by telephone, but I assume that it must have been by telephone as she frequently telephones me about situations in Europe. She was a columnist and tried to get background—very properly. There was no letter in the file from Miss Thompson so it must have been a telephone conversation.

The CHAIRMAN. Mr. Messersmith, when you reviewed the file the other day—

Mr. MESSERSMITH. Yes, sir.

The CHAIRMAN. After you received our subpoena, did you conclude that the file was intact?

Mr. MESSERSMITH. I had no reason to have any other—to raise that question—because I assumed that it was the complete file.

The CHAIRMAN. You do assume that it is the complete file?

Mr. MESSERSMITH. Yes; I assumed it was the complete file because I asked a question as to whether this was the file of the Department on the Eisler case—

The CHAIRMAN. Who did you ask that question of?

Mr. MESSERSMITH. I was only in contact in this matter with Mr. Klaus in the State Department.

The CHAIRMAN. Did he say that that was the complete file?

Mr. MESSERSMITH. He said that that was the file of the Department so far as I—I don't know what qualification he used, or if he used any—but he said this is the file.

The CHAIRMAN. Go ahead, Mr. Stripling.

Mr. STRIPLING. Mr. Messersmith, I will come to the letter——

Mr. RANKIN. Mr. Chairman, the witness has gotten up to the point of stating what Dorothy Thompson had said to him. I was interested in hearing that.

Mr. STRIPLING. If I may interrupt, Mr. Chairman, I have here the files and records of the State Department. I would like to put all of these records in according to the order in which we have arranged them. The Dorothy Thompson is, I think, about exhibit 10.

Mr. RANKIN. Let's read it.

Mr. STRIPLING. I would prefer, and I think it would be better, if we would proceed by putting them in as they have been arranged. I think you will get a clearer picture.

The CHAIRMAN. I think that is right.

The reason I asked the question I did is that I am of the opinion that certain papers have been taken from the file, and that is not the complete file. However, that point will be reached at a later time in this hearing.

You go ahead.

Mr. MESSERSMITH. I would not be able to say that, Mr. Chairman. The only question that has arisen in my mind is that yesterday the attorney for the committee brought out the memorandum signed by Mr. Warren to me, which I don't remember seeing in the file—although it may be there. I don't remember having seen it.

The CHAIRMAN. Go ahead, Mr. Stripling.

Mr. RANKIN. Mr. Chairman, this whole testimony, it seems to me, is going to the root of the question of the admission of Communists into the country by the State Department, and I would like for the witness to proceed in his usual order.

The CHAIRMAN. Go ahead.

Mr. RANKIN. We want to find out just what is behind all of the admissions of Communists—when it was known they were coming here to try to overthrow this Government.

Mr. STRIPLING. Mr. Messersmith, if you will bear with us on this, I have some documents, some of which have nothing to do with you, but which are from the State Department file. The first document I would like to introduce, Mr. Chairman, is Communication No. 311, dated May 16, 1938, from Habana, Cuba, from the American consul general, addressed to the Secretary of State, Washington.⁶⁰ The subject is Prospective Visa Application of Johannes Eisler.

It reads:

I have the honor to refer to a lookout notice from the Department dated April 16, 1936, concerning one Hanns Eisler, and to inform the Department that I am in receipt for preliminary examination of the documents of one Johannes (Hanns) Eisler, born at Leipzig July 6, 1938, son of Rudolph Eisler and Marie Ida Eisler nee Fischer. Mr. Eisler is apparently a composer of note, and submits letters of recommendation from William E. Dodd, Alvin Johnson, and other persons. Mr. Eisler is now residing in New York, care of Soffer & Rediker, 150 Broadway.

It is requested that the Department advise me at the earliest opportunity whether the prospective applicant is the person referred to in the notice.

Very respectfully yours,

COERT DU BOIS,
American Consul General.

⁶⁰ See appendix, p. 191, for exhibit 72.

Mr. Messersmith, could you tell the committee what he means when he refers to "a lookout notice" from the Department, dated April 16, 1936?

Mr. MESSERSMITH. It was customary, Mr. Chairman, that when any information came to the Department of State from any source, whether it was verified or not, which would be useful in connection with the examination of a visa application by a consul, who had the responsibility under the law, to send such information to the consul, and also when such information came in to send—to make a form, make out a form notice, which was sent to all consul officers—and which I understand was sent to immigration officers as well—indicating that before an action was taken on a visa in that particular case, or person of that particular name, the Department should be informed.

Mr. STRIPLING. In other words, you mean because there was some suspicion as to the person's political or criminal background that no visa should be issued to him without approval from the Department?

Mr. MESSERSMITH. As I said, Mr. Chairman, any information which reached the Department which had a bearing on a case, which might indicate that the consul should have information available, and which might have a bearing on the granting or the refusal of the visa, then such card was sent out. But it didn't mean that the information was verified in any sense.

Mr. STRIPLING. Next, Mr. Chairman, I would like to introduce the reply of the Department of State to the Consulate General at Habana, dated May 16, 1938—I am sorry, it is a communication to the Department of Labor regarding the consulate general's letter of May 16.⁶¹ It says:

The Secretary of State presents his compliments to the Honorable the Secretary of Labor and, with reference to Mr. Shaughnessy's letter of April 6, 1936 (File: 55883/694), regarding the case of Hanns Eisler, encloses a copy of an air-mail despatch No. 311 of May 16, 1938, from the American consul general at Habana, Cuba, regarding the case of Johannes Eisler, a prospective applicant for an immigration visa.

The Department will appreciate being advised whether the prospective visa applicant is identical with the alien mentioned in Mr. Shaughnessy's letter.

In Mr. Shaughnessy's letter, dated May 31, 1938, written on the letterhead of the United States Department of Labor, Immigration and Naturalization Service, addressed to the Secretary of State,⁶² it says:

MY DEAR MR. SECRETARY: Have the honor to acknowledge receipt of your letter of May 25 (Nq. VD 811.111 Eisler, Hanns), enclosing a despatch dated May 16, 1938, from the American consul general at Habana, Cuba, in reference to the case of Johannes (Hanns) Eisler.

It is believed by this office that the Hanns Eisler referred to in our letter of April 6, 1936, is identical with the person referred to in the report submitted by the American consul general at Habana. However, the only detailed information we have concerning this man is that contained in the manifest data of the steamship *Lafayette* at the time of his arrival at the port of New York on October 4, 1935. A copy of the verification of this entry is enclosed herewith.

It is noted from the consular report that Mr. Eisler is now residing in New York, care of Soffer & Rediker, 150 Broadway. Consequently, we are referring this case to our Ellis Island office for investigation, in order that Mr. Eisler's present status under the immigration laws may be determined, as we have

⁶¹ See appendix, p. 191, for exhibit 73.

⁶² See appendix, p. 192, for exhibit 74.

apparently no record of his admission to the United States subsequent to October 4, 1935. Upon receipt of a report from our Ellis Island office I shall be glad to communicate with you further in connection with this case.

Respectfully,

EDWARD SHAUGHNESSY,
Deputy Commissioner.

Next, Mr. Chairman, is a communication dated June 11, 1938, to the American consular officer in charge, Habana, Cuba, from the Department of State.⁶³ It says:

The Secretary of State refers to the consul general's air-mail dispatch No. 311 of May 16, 1938, and encloses a copy of a letter of May 31, 1938, which has been received from the Department of Labor, regarding the case of Johannes or Hans or Hanns Eisler, a prospective applicant for an immigration visa at the Consulate General.

It is suggested that no action be taken in the alien's case until after the receipt of a further instruction from the Department.

Now, Mr. Messersmith, was that customary?

Mr. MESSERSMITH. Was—

Mr. STRIPLING. Was it customary for the State Department to advise a consular officer not to take any action in the issuance of a visa until he received further instructions from the Department?

Mr. MESSERSMITH. Yes—only in this sense: So that all information available to the Department could be made available to the consulate.

Mr. STRIPLING. I see.

Next is a memorandum dated October 19, 1938, written on the letterhead of the Department of State, Visa Division.⁶⁴ It says: "Memorandum for the files." It is signed "R. C. A."

Could you identify "R. C. A.", Mr. Messersmith?

Mr. MESSERSMITH. That must be Mr. Alexander.

Mr. STRIPLING. Robert C. Alexander. Do you know what position he holds in the Department of State?

Mr. MESSERSMITH. He holds, or held?

Mr. STRIPLING. Well, that he held at that time.

Mr. MESSERSMITH. At that time he was one of the—I don't know exactly what his status was, but he was one of the—not officers, I think, but one of the clerks in the Visa Division of the Department. I don't remember exactly what his title was.

Mr. STRIPLING. Is he head of the Visa Division now?

Mr. MESSERSMITH. No.

Mr. STRIPLING. What position does he hold now?

Mr. MESSERSMITH. I think he is Assistant Chief in the Division now.

Mr. STRIPLING. You think he was—

Mr. MESSERSMITH. I don't know what his status was, but he was not—

Mr. STRIPLING. He wasn't important?

Mr. MESSERSMITH. He wasn't important; no.

Mr. STRIPLING. To proceed with the memorandum for the files, signed "R. C. A.", it says:

Mr. Messersmith telephoned me today and stated that he had received a telephone call from Miss Dorothy Thompson regarding the case of Hanns Eisler. I told Mr. Messersmith briefly about the point at issue in the case.

He wants a letter drafted to Miss Thompson for his signature.

⁶³ See appendix, p. 192, for exhibit 75.

⁶⁴ See appendix, p. 192, for exhibit 76.

At the bottom there is a note. It says:

It is interesting to note that the persons who are protesting against the admission of Eisler are also protesting against the admission of John Strachey. See original communication, which forms the beginning of Labor's file.

Mr. RANKIN. You mean John Strachey of the British Empire?

Mr. STRIPLING. Yes, sir.

Mr. RANKIN. He is a Communist, is he not, a British Communist?

Mr. STRIPLING. I am not in position, Mr. Rankin, to characterize him at this time. I would have to check the file in the record.

Mr. RANKIN. I don't think you will have any trouble about that.

Mr. STRIPLING. That might be true.

Next, Mr. Chairman, is a memorandum: "Department of State, Visa Division," dated October 24, 1938, and signed, R. C. A., to Mr. Messersmith.⁶⁵ It says:

DEAR Mr. MESSERSMITH: Here is the résumé of the file in the Eisler case, which you requested.

It will require about 10 or 15 minutes of your time to read it, and you will note that I have included some commentaries concerning Strachey, which were found in the file, and which might be of interest.

I have been subpoenaed to appear in the Federal court in New York on a counterfeit visa case tomorrow and if I can finish my testimony in time I hope to be able to listen to the legal argument in Judge Conger's court on Strachey's petition for a writ of habeas corpus.

In other words, you asked Mr. Alexander, the clerk, to prepare a résumé of the file for you, is that correct, Mr. Messersmith?

Mr. MESSERSMITH. Mr. Chairman, I don't think there is any question but what I asked Mr. Alexander to prepare a memorandum or to give me information with regard to this, after I had had this call from Miss Thompson, don't you know, which I wish to go into later. But I don't remember that memorandum, Mr. Chairman. Is that in the files?

Mr. STRIPLING. It is among the documents which were subpoenaed by the committee.

Mr. MESSERSMITH. It is not important. But I mean with regard to the State Department file, I don't remember seeing this memorandum in my examination of the State Department files, Mr. Chairman.

Mr. STRIPLING. Now, on October 24, 1938, Mr. Alexander prepared a résumé, which is written on the letterhead of the Department of State, Visa Division, dated October 24, 1938.⁶⁶

Confidential, Résumé of the File of the Department of Labor in the case of Johannes Eisler.

In the meantime, there are documents to show that the file had been transferred at the request of the State Department from the Department of Labor, which at that time had jurisdiction over the Immigration and Naturalization Service. The file was transferred from Labor to the State Department.

In this résumé, which goes on for eight pages—and I would be glad to read it all, Mr. Chairman, if you like——

Mr. RANKIN. Mr. Chairman——

The CHAIRMAN. Just a minute, Mr. Rankin.

Mr. RANKIN. All right.

The CHAIRMAN. Do you suggest that it be read?

⁶⁵ See appendix, p. 192, for exhibit 77.

⁶⁶ See appendix, p. 192, for exhibit 78.

Mr. STRIPLING. Unless Mr. Messersmith desires it be read, I have no desire to do so.

Mr. RANKIN. Mr. Chairman, I would like to see that Strachey letter that was referred to.

Mr. MESSERSMITH. I think, Mr. Chairman, it may be necessary to read this memorandum at some length, or to put it into the record, because it is necessary to do it to show certain aspects of the superficiality of the memorandum.

The CHAIRMAN. Do you suggest that it be read now or put in the record?

Mr. WOOD. I suggest you include it in the record, Mr. Chairman.

Mr. STRIPLING. It may be made a part of the record?

The CHAIRMAN. Without objection, it is so ordered.

(The document referred to is as follows:)

[Confidential]

DEPARTMENT OF STATE,
VISA DIVISION,
October 24, 1938.

RÉSUMÉ OF THE FILE OF THE DEPARTMENT OF LABOR IN THE CASE OF JOHANNES EISLER

George O. Brisbois, chief of police, Phoenix, Ariz., writes the Commissioner of Immigration and Naturalization, stating that he had noted from an item in the Daily Worker of February 23, 1935, that Hanns Eisler, "revolutionary German refugee composer," was scheduled to give a concert at the Repertory Theatre, 264 Huntington Avenue, Boston, at which Eisler's "stirring revolutionary songs" were to be sung by several workers' choruses, including the Workers' Music League Chorus, the Russian Ukranian Chorus, the Laisve Chorus, and the Freiheit Gesang Verein.

Eisler was scheduled to speak concerning conditions in Germany.

Chief Brisbois points out that "we already have a plethora of agitators among us who are endeavoring to throw grit in the gears of recovery, much less admitting another agitator to stir up strife and unrest among our already-em-bittered jobless and destitute men and women." He goes on to recite some experiences in attempting to quell riots, breaches of the peace, and other disturbances caused by Communist agitators. He wants Eisler deported.

March 16, 1935

J. E. Wilkie, secretary-treasurer of the Arizona Peace Officers' Association, Phoenix, writes the Department of Labor and requests that Hanns Eisler and John Strachey be deported as alien Communists.

Mr. Wilkie encloses a copy of New Masses of March 12, 1935, on page 27 of which there is a letter to the editor from an anonymous writer protesting against having to listen to so many speeches at the music concerts given by Eisler, who is referred to in the letter as "a great proletarian artist."

Mr. Wilkie describes Eisler as a German political refugee and "world famous" composer of such revolutionary songs as Comintern, Solidarity, and United Front.

With reference to Strachey, Mr. Wilkie says:

"Members of the Arizona Peace Officers' Association were much gratified to learn that a deportation warrant had been issued for Strachey, as he is a radical of the most pernicious type, particularly in view of his reputation and connections, which are calculated to invest him with an influence and authority which a lesser radical can never hope to inspire.

"Strachey's contention that he is a Communist in theory and doctrine alone is sheer foolishness, and it is certainly to be hoped that your Department will not permit such a consideration to influence your decision to deport Strachey, as the good citizens of our country are firmly backing your stand.

"The issue of New Masses being attached further contains (p. 22) an announcement of a debate between Strachey and Everett Dean Martin on the subject, Resolved, That the Present Crisis Can Be Solved Only by Communism, which in

itself is proof of Strachey's advocacy of communism and of the fact that his visit to America is strictly for 'business' purposes; that is, propaganda.

"You will also note from the back cover page that a copy of Strachey's new book is being included with each new subscription to *New Masses*, further proof of the fact that he is being exploited by the Communists and is working in close cooperation with party affairs."

May 6, 1935

The Department of Labor, after a thorough search of the records at various ports of entry, finds a record showing that Johannes Eisler, a native of Leipzig, age 36, divorced, music composer, Austrian citizen, was admitted at New York on February 13, 1935, for 3 months, with a nonimmigrant passport visa as a temporary visitor, issued at London on January 23, 1935.

May 8, 1935

Mr. John K. Baxter, of the Department of Labor, in a memorandum to Mr. Shaughnessy, states in part:

"This might easily become another Strachey case. At the present time probably very few Americans outside of Communist circles have ever heard of Eisler, but there would be plenty of noise made about him if it could be represented that he had been excluded or deported on the ground that his Communist tunes threatened the overthrow of the Government by force or violence.

"Nevertheless, the man may very well be a Communist; and, as a matter of fact, a rousing Communist song might have more explosive revolutionary force than a hundred pamphlets or speeches."

Mr. Baxter further states that he understands that J. E. Wilkie has lost his position as secretary-treasurer of the Arizona Peace Officers' Association and is looking for a new one in California.

October 6, 1935

J. E. Wilkie writes again in the capacity of secretary of the Arizona Peace Officers' Association, which indicates that he had not lost his position or, if he did, he has recovered it.

Mr. Wilkie states that Eisler has returned to the United States from a trip to Moscow and that he is in the United States to "aid his fellow Communists in arousing mass feelings."

October 8, 1935

Mr. Wilkie writes the Secretary of Labor, quoting the following item which appeared in the *Daily Worker* of October 5, 1935:

"MUSIC A WEAPON FOR FRATEINIZATION, SAYS EISLER

"The importance of music in a time of international conflict like this is that soldiers on either side can sing our proletarian songs and thus begin a brotherhood across no man's land," declared Hanns Eisler, at pier 57, North River, yesterday, where he was welcomed by his wife and an admiring group of musicians on his return to America.

"Eisler, who was recently elected world chairman of the International Music Bureau, whose headquarters are in Moscow, will give two courses on composition and a sociological introduction to modern music at the New School for Social Research this fall, he announced."

The records of the Department of Labor show that Eisler was readmitted into the United States at New York on October 4, 1935, for a temporary period of 6 months and that he presented the same visa he obtained at London in January 1935. The records also show that he gave negative answers to the questions on the manifest which are designed to show whether he might be inadmissible as an alien of a politically undesirable class within the meaning of the provisions of the act of Congress of October 16, 1918, as amended by the act of June 5, 1920.

January 3, 1936

Mr. Wilkie writes again as the secretary of the Arizona Peace Officers' Association, stating in part:

"It is further revealed in a recent issue of the *Daily Worker* (December 19, p. 6) that Eisler has also been engaged in the making of phonograph records of The International and certain other revolutionary songs, some of which he himself composed. The *Daily Worker* goes on to state that it is the first time phonograph records of the various revolutionary songs have been available for distribu-

tion to the 'workers' in this country, and for this somewhat dubious benefit the patriotic and loyal citizens of our country—who still constitute a majority, as members of the present administration might do well to note—are indebted to our alien 'visitor,' Herr Eisler."

January 28, 1936

Senator Hayden, of Arizona, writes the Secretary of Labor, transmitting a copy of a letter from Mr. Wilkie concerning Eisler and inquiring why he has not been deported, in order that Mr. Wilkie might be informed.

February 28, 1936

Senator Hayden again writes the Secretary of Labor and requests a reply to his previous letter.

March 3, 1936

In a letter from Mr. Shaughnessy to Senator Hayden, it is stated that in deportation proceedings the burden of proof is upon the Government and that newspaper articles are not accepted as evidence in such proceedings; that the visa is assumed to have been issued to Eisler in London because the consular officer was not in possession of information showing Eisler to be inadmissible into the United States; that careful consideration would be given to any request made by Eisler for an extension of his stay in the United States.

(NOTE.—Mr. Shaughnessy does not discuss the provisions of sec. 23 of the act of 1924, which places the burden upon an alien in deportation proceedings to establish that he entered lawfully, nor does he discuss the fact that the courts have held that the administrative authorities are not bound to follow the strict rules of evidence in deportation cases. Furthermore, he fails to discuss the rule of evidence that a statement in the nature of an admission, although hearsay, is admissible in evidence.)

April 9, 1936

Eisler is to give a concert under the auspices of the Workers' Cultural Organization in the People's Auditorium, 2457 West Chicago Avenue, Chicago (?). He is described in a circular concerning the concert as "the celebrated revolutionary composer."

March 9, 1938

Harry V. Jung, honorary general manager of the American Vigilant Intelligence Federation, Box 144, Chicago, Ill (founded in 1919, incorporated not for profit), writes the district director of immigration and naturalization at Chicago, in part, as follows:

"In Monday's Chicago Daily Times a columnist asserted that Hanns Eisler is seeking citizenship. I did not see the item myself but was so informed. We do not know where his petition for citizenship is entered or what the present status of his case happens to be, but we do know that Hanns Eisler is a Communist and it would seem to me, therefore, ineligible to citizenship."

The following are excerpts from the column in the Chicago Daily Times, to which Mr. Jung referred:

"Congress is planning an investigation of the diplomatic service. * * *

"Composer Hanns Eisler, the German expatriate who arrived here last month, will apply for American citizenship within the next few weeks. He already has an assignment from the Federal theater."

Mr. Jung enclosed an excerpt from the column of Leonard Lyons entitled "Broadway Medley," which appeared in the Chicago Daily Times of March 9, 1938, which reads as follows:

"* * * Hanns Eisler, the exiled German composer, received a note from Ernest Hemingway asking him to write the music for his new play, an agent reports at Bertolotti's. 'Eisler couldn't find any spot where music would fit. Hemingway told him about some phonograph recordings of Arise, a song the Loyalists sang in Madrid, and that he wanted that tune if they could get it. Eisler wrote back: "We can get it. I composed that song * * * I'm going to Europe for a vacation * * *."'"

March 29, 1938

Dr. Alvin Johnson offers Eisler a position as professor of music for 5 years, at \$3,000 a year, with the New School for Social Research, 66 West Twelfth Street, New York City, expressing enthusiasm for Eisler's previous work as a "visiting lecturer."

Dr. Johnson also writes Coert du Bois, American consul general at Habana, on the same day, endorsing Eisler's prospective application for an immigration visa, and stating:

"Eisler is a famous and important composer, a musician who knows how to make millions of people throughout the world respond to his compositions."

In a hearing given Eisler at Ellis Island, he states that his address is 225 West Sixty-ninth Street, New York City; that he was born on July 6, 1898, at Leipzig, son of a naturalized Austrian father; came to the United States the last time with a nonimmigrant visitor's visa issued at Prague on December 18, 1937; Austrian passport No. 234 (series A-285848), issued at Paris, France, on June 14, 1933, and valid by extension until May 1, 1939; wants to go to Habana to obtain an immigration visa and requests extension of his stay in the United States until he can obtain word from the American consul general at Habana that his documents are in order; coming back to the New School for Social Research headed by Dr. Alvin Johnson; composed of every kind of music; denies that his compositions were communistic in character but claims they were only anti-Nazi; claims to be a political refugee; political belief anti-Nazi; plays piano, but not very well; first came to the United States for lectures; came second time to witness premiere on Broadway of a play he had written; has \$750,000; he has had no trouble with police anywhere; exiled from Austria because of anti-Nazi and anti-Fascist views; 50 percent Aryan and 50 percent Hebrew; married twice; divorced from first wife in Austria in 1935 or 1936; married second wife, Lonisa Gosztani, with whom he is now living, in Czechoslovakia on December 7, 1937; one son, George Eisler, now living at Prague.

Mrs. Eisler was also heard; lives with her husband in New York; arrived with him as temporary visitor on January 21, 1938; Austrian passport No. 80, series A-839450, issued at Prague on September 13, 1937, valid to September 12, 1942; nonimmigrant visitor's visa issued at Prague December 18, 1937; writer; mother Jewish but father was not; is in correspondence with agent in London who may publish her works of fiction.

June 22, 1938

Dr. Alvin Johnson writes Commissioner Houghteling that he desires to employ Eisler "as a teacher, primarily of song composition." States that he is aware of the difficulties confronted by our own musicians and there is every reason for not employing an alien where an American could be employed * * * but * * * "the special fund out of which we should pay his salary would not be available for an American composer even if I know one who could answer the same purpose. * * *"

(It would be interesting to know the source of the funds available to Dr. Johnson but which are not available for paying the salary of an American composer. If the funds are to be made available only to pay the salary of an alien, what kind of an institution is Dr. Johnson trying to operate in the United States?)

July 2, 1938

Commissioner Houghteling directs that Eisler be allowed to stay in the country for the duration of his teaching engagement with the New School of Social Research.

August 5, 1938

The Board of Review, Department of Labor, grants Eisler permission to remain temporarily in the United States only until January 21, 1939.

SUMMARY AND COMMENTARY

The evidence establishes preponderantly that Eisler is a Communist, although it does not show that he is an enrolled member of the Communist Party. His beliefs are anti-Nazi and procommunistic; he has given the Communists in the United States and other countries aid, comfort, and active association in the promotion of their cause. The consul general at Habana will be called upon to determine the admissibility of Eisler in connection with his application for an immigration visa. Carol King, the attorney for Eisler, is pressing the Department to advise Habana concerning Eisler in order that Habana may advise Eisler when to appear to make application for an immigration visa. As matters now stand, it is believed that Habana must be advised that Eisler is inadmissible because of his political views and affiliations; that he obtained the nonimmigrant visas at London and Praha through fraud; and that he should

not be encouraged to make an application for an immigration visa. However, the Strecker case, now pending before the Supreme Court of the United States, may have some bearing upon the decision to be made in Eisler's case. In any event, it would be unwise to render any decision in Eisler's case before the Supreme Court decides the Strecker case.¹

The CHAIRMAN. And will you let me see the Strecker letter? Mr. Rankin would like to see it.

(Document handed chairman.)

Mr. STRIPLING. On page 7 of the memorandum it states:

June 10, 1938

In a hearing given Eisler at Ellis Island he states that his address is 225 West Sixty-ninth Street, New York City; that he was born on July 6, 1898, at Leipzig; son of a naturalized Austrian father; came to the United States the last time with a nonimmigrant visitor's visa issued at Prague on December 18, 1937; Austrian passport No. 234 (series A-285848), issued at Paris, France, on June 14, 1933, and valid by extension until May 1, 1939; wants to go to Habana to obtain an immigration visa and requests extension of his stay in the United States until he can obtain word from the American consul general at Habana that his documents are in order; coming back to the New School for Social Research headed by Dr. Alvin Johnson; composer of every kind of music; denies that his compositions were communistic in character but claims they were only anti-Nazi; claims to be a political refugee; political belief anti-Nazi; plays piano but not very well; first came to the United States for lectures; came second time to witness premiere on Broadway of a play he had written; has \$750,000; has had no trouble with police anywhere; exiled from Austria because of anti-Nazi and anti-Fascist views; 50 percent Aryan and 50 percent Hebrew; married twice; divorced from first wife in Austria in 1935 or 1936; married second wife, Louisa Gosztani, with whom he is now living, in Czechoslovakia on December 7, 1937; one son, George Eisler, now living at Prague.

Mrs. Eisler was also heard; lives with her husband in New York; arrived with him as temporary visitor on January 21, 1938; Austrian passport No. 80, series A-S39450, issued at Prague on September 13, 1937, valid to September 12, 1942; nonimmigrant visitor's visa issued at Prague December 18, 1937; writer; mother Jewish but father was not; is in correspondence with agent in London who may publish her works of fiction.

June 22, 1938

Dr. Alvin Johnson writes Commissioner Houghteling that he desires to employ Eisler, "as a teacher, primarily of song composition." States that he is aware of the difficulties confronted by our own musicians and there is every reason for not employing an alien where an American could be employed * * * but * * * "the special fund out of which we should pay his salary would not be available for an American composed even if I know one who could answer the same purpose * * *"

It would be interesting to know the source of the funds available to Dr. Johnson, but which are not available for paying the salary of an American composer. If the funds are to be made available only to pay the salary of an alien, what kind of an institution is Dr. Johnson trying to operate in the United States?

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Summary and commentary—

Mr. Messersmith, could you tell us now what Mr. Alexander's position was at that time, his salary, and so forth? You have referred to

¹ The Strecker case merely decided that an alien was not subject to exclusion because he had at one time been a Communist.

him as a clerk. I think it is important that we establish now whether or not a clerk prepared this memorandum and participated in the handling of this case, or whether it was an official of the Visa Division.

Mr. MESSERSMITH. Well, Mr. Chairman, I am not able to say what Mr. Alexander's position in the Visa Division was at the time—I mean, what his salary was, and all that. We had a very small number of people in the Department, 800 at the time, but I wouldn't be able to tell what Mr. Alexander's salary was.

Mr. STRIPLING. Mr. Chairman, I suggest that one of the investigators be instructed to communicate with the Department of State now and find out just what position he holds now and what position he held in 1938, because if this memorandum was prepared by a clerk, as Mr. Messersmith says, why then I think the committee should know it.

The CHAIRMAN. Mr. Messersmith, do you know Mr. Alexander?

Mr. MESSERSMITH. Oh, yes, indeed; yes, indeed, Mr. Chairman. I knew him quite well.

The CHAIRMAN. About how many years was he in the service?

Mr. MESSERSMITH. I have no idea. I think the Department of State register shows that he came into Department first as a clerk, in the office of the then Secretary of State Hughes.

The CHAIRMAN. And how long was he in the service—how many years?

Mr. MESSERSMITH. Since that time, I think.

The CHAIRMAN. That would be about—

Mr. STRIPLING. I think he has about 25 or 30 years' service.

The CHAIRMAN. Twenty-five or thirty years?

Mr. STRIPLING. I think so.

The CHAIRMAN. And would you say he was a clerk at the time he wrote that memorandum?

Mr. MESSERSMITH. I should say he was a law clerk, or something of that kind.

The CHAIRMAN. All right.

Mr. STRIPLING. I think Mr. Russell—

The CHAIRMAN. Mr. Russell, you get in touch with the State Department and find out what his position was at that time and what his salary was at that time.

Mr. STRIPLING. October 1938.

The summary and commentary on this document, which is under the heading of "Résumé of the file of the Department of Labor in the case of Johannes Eisler," states:

The evidence establishes preponderantly that Eisler is a Communist, although it does not show that he is an enrolled member of the Communist Party. His beliefs are anti-Nazi and pro-Communist; he has given the Communists in the United States and other countries aid, comfort, and active association in the promotion of their cause. The consul general at Habana will be called upon to determine the admissibility of Eisler in connection with his application for an immigration visa. Carol King, the attorney for Eisler, is pressing the Department to advise Habana concerning Eisler in order that Habana may advise Eisler when to appear to make application for an immigration visa. As matters now stand, it is believed that Habana must be advised that Eisler is inadmissible because of his political views and affiliations; that he obtained the nonimmigrant visas at London and Praha through fraud; and that he should not be encouraged to make an application for an immigration visa. However, the Strecker case, now pending before the Supreme Court of the United States, may have some bearing upon the decision to be made in Eisler's case.

In any event it would be unwise to render any decision in Eisler's case before the Supreme Court decides the Strecker case.

Now, Mr. Messersmith, I want to refer to the first two sentences of this summary and commentary—and I request that the members pay particular attention to this, because in view of the evidence which was produced before the committee yesterday, I just wonder how far wrong this clerk was in his summary:

The evidence establishes preponderantly that Eisler is a Communist, although it does not show that he is an enrolled member of the Communist Party. His beliefs are anti-Nazi and pro-Communitistic; he has given the Communists in the United States and other countries aid, comfort, and active association in the promotion of their cause.

Do you think that that summary was incorrect, Mr. Messersmith?

MR. MESSERSMITH. Mr. Chairman, at the time that this summary was prepared by Mr. Alexander, at my request either to him or to Mr. Warren, the Chief of the Division—I wouldn't be able to say whether I made the short cut directly to Mr. Alexander or whether I asked Mr. Warren, the Chief of the Division, for it—the request was provoked by what must have been, as I say, a telephone conversation, instead of a letter, from Miss Dorothy Thompson, because there is no record in my personal files or in the Department of a letter from Miss Thompson.

In this connection, I shall state that Miss Thompson had been a frequent visitor to Europe, from 1935 on, in her connection as a columnist. While I was stationed in Berlin and in Austria, Miss Thompson made a number of visits there, just as other columnists and correspondents did, and they naturally saw our consular officers to get background information. In this way, I knew Miss Thompson.

THE CHAIRMAN. Do you have the question in mind?

MR. MESSERSMITH. Yes; I have the question in mind.

THE CHAIRMAN. You seem to be dwelling more on Dorothy Thompson, when the question concerns this clerk.

MR. MESSERSMITH. I want to explain why—

MR. RANKIN. Mr. Chairman, I didn't get the date of that memorandum. May I ask the date?

MR. STRIPLING. That is October 24, 1938.

On October 27, 1938, Mr. Messersmith replied to Dorothy Thompson. That is the next exhibit.

MR. MESSERSMITH. Yes.

MR. STRIPLING. The reply to Dorothy Thompson.

MR. MESSERSMITH. I want to bring out—

MR. STRIPLING. And I assume, Mr. Messersmith, your reply to Miss Dorothy Thompson was based in part on the résumé.

MR. MESSERSMITH. I want to bring out, Mr. Chairman, that the first information for recollection, or anything that is in the files which shows any knowledge of mine of the Eisler case, came when Miss Thompson called me on the telephone. I can't recall that conversation, that is, what the substance of it was, but from the character of the letter which I wrote to Miss Thompson—which it will be noted is a personal and unofficial one and was not intended to be an official letter—you can see that she must have been very emotional over the telephone. One must remember at that time—and we have got to keep in mind the perspective in this matter—Miss Thompson called me on

the telephone, practically all thoughtful persons in the United States were concerned with what was happening in Europe. And Miss Thompson—

The CHAIRMAN. Just as they are concerned with what is happening today.

Mr. MESSERSMITH. Exactly, sir. And Miss Thompson was one of these people who had been in Europe and who knew better than a great many of our people what was happening to people there. Therefore, when she telephoned me about Eisler, she must have been, as I say, not only factual, but a bit emotional. She, I think, thought that there were many things that the State Department could do for refugees which it was quite impossible to do.

My letter to Miss Thompson was drafted as a personal and unofficial letter, because I wished to give her some background which would sort of make her understand.

The CHAIRMAN. Mr. Messersmith, you talk so much about Dorothy Thompson that I have forgotten the question. What was the question?

Mr. STRIPLING. Well, the question was whether or not he disagreed with the first two sentences of the summary and commentary.

The CHAIRMAN. Yes; that is the question.

Mr. MESSERSMITH. Yes.

The CHAIRMAN. And will you try to answer that question without going into a long discourse about Dorothy Thompson?

Mr. RANKIN. Mr. Chairman, may I ask a question of Mr. Stripling? Was that before or after Mrs. Roosevelt's note to Mr. Sumner Welles?

Mr. STRIPLING. Mr. Rankin, this is before, and I have this—

Mr. RANKIN. How long before?

Mr. STRIPLING. Well, this is October, and Mrs. Roosevelt brought it to the attention of Mr. Welles in January of the next year.

Mr. RANKIN. I see.

Mr. STRIPLING. And 3 months before.

Mr. CHAIRMAN. Repeat the question so Mr. Messersmith will understand the question and won't get off on Dorothy Thompson.

Mr. STRIPLING. As I understand from Mr. Messersmith, Dorothy Thompson called him on the phone about Hanns Eisler. He in turn called upon a clerk in the Visa Division, Mr. Robert C. Alexander, to prepare a résumé of the file of the Labor Department, which was at that time in charge of the Immigration Service, on the case. Mr. Alexander compiled the résumé, eight pages of it, and concludes, in the summary and commentary:

The evidence establishes preponderantly that Eisler is a Communist, although it does not show that he is an enrolled member of the Communist Party. His beliefs are anti-Nazi and pro-communistic; he has given the Communists in the United States and other countries aid, comfort, and active association in the promotion of their cause.

Now, in view of what was brought out before the committee yesterday, I just wondered if Mr. Alexander wasn't just about 100 percent correct in his summary.

The CHAIRMAN. That is the question.

Mr. RANKIN. The point I was making—

The CHAIRMAN. Just a minute. We are going to have the answer to that question.

Mr. RANKIN. All right.

Mr. MESSERSMITH. Mr. Chairman, you wish to know whether I took into account this memorandum in my consideration of the case—is that the question?

Mr. STRIPLING. Let me make this clear, Mr. Chairman. The point is this: Mr. Messersmith has referred to Mr. Alexander as a clerk, some underling who would perform some menial task in connection with this case.

Mr. MESSERSMITH. No.

Mr. STRIPLING. Now, this memorandum—this résumé—remained in this file throughout the entire period. It was before the consulate general in Mexico City. During the entire time this Eisler case was handled by the State Department, this memorandum was in the file.

Now, what I want to establish is this: If Mr. Alexander's résumé, or any memorandum he writes, is not to be taken with any particular authority, then we should determine that now because it has a bearing on the entire case. Here is the person in the State Department that says a man is a Communist back in 1938. Now, based upon that memorandum, Mr. Messersmith writes to Dorothy Thompson, and many other people, and he prepares a letter for Mr. Sumner Welles in reply to Mrs. Roosevelt. Was he basing his replies upon Mr. Alexander's memorandum or just what is the status of this summary?

Mr. MESSERSMITH. Mr. Chairman, I don't wish to be quibbling, but I wish to understand just what the question is. If the question is: Did I take this memorandum into account in the preparation of the letters which I prepared—is that the question?

The CHAIRMAN. All right, I will put that question: Did you take this memorandum into account when you prepared those letters?

Mr. MESSERSMITH. I certainly did, Mr. Chairman; I certainly did.

The CHAIRMAN. Then you came to the conclusion, also, that Hanns Eisler was a Communist; is that correct?

Mr. MESSERSMITH. No; I came to no conclusion, as the letter showed.

The CHAIRMAN. Did you differ with the conclusion in the letter?

Mr. MESSERSMITH. I think it is necessary, Mr. Chairman, that I make a clarifying statement in that connection. I want to answer, however, very categorically, that I took into account the memorandum of Mr. Alexander. And I should say this in explanation to the counsel, that my reference to Mr. Alexander as a clerk would not be in any sense disparaging, because a great deal of the work in the State Department is done by people who have the designation of clerk and who do have responsible work there. It is a word which is not used in any derogatory sense at all. I merely wish to make it clear that I do not know what Mr. Alexander's status in the Visa Division at that time was, except that he was one of the persons who worked in the Visa Division, who prepared memoranda and handled the cases for the then Chief of the Visa Division.

The CHAIRMAN. You saw the memorandum when it was prepared?

Mr. MESSERSMITH. I saw the memorandum when it was prepared, because it was prepared either through a request which I made to Mr. Warren, as Chief of the Division, or probably it may have been made directly to Mr. Alexander.

The CHAIRMAN. And you noted his conclusion that Hanns Eisler was a Communist?

Mr. MESSERSMITH. Exactly.

The CHAIRMAN. And that based on that conclusion, you answered Dorothy Thompson; is that correct?

Mr. MESSERSMITH. I beg your pardon?

The CHAIRMAN. Based on the conclusion, you answered Dorothy Thompson?

Mr. MESSERSMITH. No; based on my general consideration of the case, because you must remember, Mr. Chairman, that my position in the Department was that of the responsible officer in the Department. I had to analyze all the information which came to me.

The CHAIRMAN. And did you have any other information on this Hannes Eisler case right at that time, other than this memorandum?

Mr. MESSERSMITH. At that time I had no information other than this.

The CHAIRMAN. Go ahead, Mr. Stripling.

Mr. STRIPLING. Now—

Mr. MESSERSMITH. Except what was in the file.

The CHAIRMAN. Go ahead, Mr. Stripling.

Mr. STRIPLING. All right, Mr. Messersmith.

The next document which I would like to introduce is your reply to Dorothy Thompson, dated October 27, 1938, which is marked "Personal and strictly confidential", and then written in, in hand, "Unofficial and strictly confidential".⁶⁷

DEAR DOROTHY: I regret that I have not been able to write you earlier with regard to our telephone conversation concerning the case of Johannes or Hannes Eisler, who is considering applying for an immigration visa at the consulate general at Habana. I have gone into this matter very carefully and I find that we have a fairly considerable file on this matter. It seems that Eisler has been in this country from time to time during the last years on visas as a temporary visitor. He has been coming in on a temporary visitor's visa, then leaving the country and securing another visa as a temporary visitor. In this way he has been able to make quite an extended stay in this country. I now understand that he intends to apply for an immigration visa at the consulate general at Habana in order to make permanent entry into the country. In this connection there has arisen a question as to whether he is a Communist and whether, under the immigration laws, he could be granted an immigration visa.

There are all sorts of considerations which arise in this connection. First of all, I think I should tell you frankly that there appears to be considerable evidence in the files that Eisler is a Communist and that he obtained a nonimmigrant visitor's visa without disclosing the facts concerning his political views and perhaps affiliations. A number of protests have been received from patriotic organizations and individuals against Eisler being granted an immigration visa or being permitted to remain in this country. Whether Eisler is a Communist or not, I do not know, and I do not know whether he holds views which, under the immigration laws, would make it impossible to grant him an immigration visa. This is a question which this Department cannot decide. You know that under our immigration laws, the consular officer before whom an immigrant applies for a visa is the one who must determine whether or not, under the immigration laws, the applicant may be granted a visa. The Department of State may be called upon by the consul to give an interpretation of the law, but the decision, as to whether a visa can be granted in an individual case must be made by the consul before whom the application is made. The final decision, therefore, whether Eisler can get an immigration visa would have to be made by the consul and not by this Department.

There is another circumstance which may give concern. It is presupposed that a person who comes into this country on a nonimmigrant's visa—that is, a visa as a temporary visitor—will not engage in gainful employment. In other words, it is presupposed that he is coming to this country for a bona fide temporary stay which would ordinarily not involve fixed employment. In practice this has not been interpreted to preclude making it impossible for a person here

⁶⁷ See appendix, p. 192, for exhibit 79.

on a temporary visa to give lectures for which he gets remuneration, or to engage in some very temporary incidental employment for which he may get remuneration. I think, however, that under the law we must take it that a person who is here on a temporary stay cannot accept any definite continued employment. I am not sure that Eisler has not violated this at least implied provision incident to his stay in the country on a visa as a temporary visitor.

I am not at all sure that Eisler will be able to secure a visa at the consulate general at Habana without long delay. It was possible, when the pressure under the quota was not so great, for persons to secure visas at some of the nearby consulates without a very long waiting period. Now, however, with the tens of thousands of applicants who are registered under the quotas, all persons must await their turn on the waiting list and, as I gather that Eisler is not on the waiting list of any quota, it will be some time before his name would be reached if he were to register now. A person who seeks for and secures a visa as a temporary visitor to the United States is not supposed to be on the waiting list of any quota if such a temporary visitor's visa is granted to him.

It would seem, therefore, from the circumstances of his being in this country on a temporary visitor's visa, that he could not be on the waiting list at Habana or elsewhere. If he has indicated his intention to the consulate general at Habana to apply for an immigration visa there, he would naturally have to take his place on the waiting list in the respective order of those registered against the German quota. As things are now, I do not see how he could get on the waiting list at Habana, or elsewhere, until he leaves this country and applies in person for an immigration visa at one of our consular establishments. He would then go on the waiting list of the German quota, to which I understand he is chargeable, and this would mean that he would have several years to wait as the demands on the quota are particularly heavy. I need not tell you that our consular officers cannot give any preference to any applicant to which he is not entitled under the law. It is absolutely necessary that our consular officers enforce our laws without discriminating between persons and that they accord preference only when such preference is specifically provided for in the law. Under our law, Eisler does not have any preference whatever.

I have written you so frankly and so fully because I think I should tell you that completely aside of the question of the political views which Eisler may hold, the possibility of his securing an immigration visa in the near future is very slender. He would have a considerable waiting period, which I see might be as much as 2 years considering the present demand against the German quota. I know that this may seem hard, but after all the United States cannot alone solve the refugee question and we have to keep in mind that the temper of the country is for the maintenance of our present immigration laws and practice. We have at present the most liberal and the most understanding immigration practice of any country. I am convinced that if an endeavor were made to get more liberal immigration legislation written into the statutes, the results would be more restrictive rather than more liberal legislation. That is why I have hoped that we may leave well enough alone.

Now, with regard to Eisler's political views and affiliations, I do not feel that I am able to go into this. Our files show that he has had connections and that he does seem to hold views which the consul might find would preclude him from granting a visa.

The CHAIRMAN. Read that line over again, please.

Mr. STRIPLING (reading):

Now, with regard to Eisler's political views and affiliations, I do not feel that I am able to go into this. Our files show that he has had connections and that he does seem to hold views which the consul might find would preclude him from granting a visa. It seems, for example, that it was reported in the Daily Worker of October 5, 1935, that Eisler had been appointed the world chairman of the International Music Bureau, whose headquarters are in Moscow. The chances are that, although he may not be an active member or even a member of the Communist Party, he may hold views which, under the law, would exclude him from securing a visa. I am not passing any judgment on this matter because I do not have the facts and I have no reason for going into them, nor would I be competent to go into them. It would be a question for the consul to whom he applies for an immigration visa to decide.

I can appreciate your interest in this man and it does credit to your goodness of heart. We do not make the law here in the Department, but we have certain

obligations under the law and our officers have very specific duties under the law. This I know you will appreciate. There are so many thousands of those people who have a claim on our thought and care but whom we can't possibly begin to take care of in this country. The root of the problem after all is not in our law and practice but in the acts of those persons and countries which make these refugees. It would be fine if we could open our doors wide, but we cannot even think of that.

If there is anything more specific that you think I may be able to give you, I would be very glad to have you write me further. I see his case as a most difficult one completely aside from any political views which he may have.

With all good wishes,

Cordially yours,

GEORGE S. MESSERSMITH.

MR. MESSERSMITH. That is the letter, Mr. Chairman, which I wrote to Miss Thompson, after very careful consideration of what I had before me. I had to take into account many factors. One of them was—I mean, I wrote her first of all such a personal and full letter because she was a columnist. At that time there were a great many people in our country who felt, because there were so many people—political refugees—that our immigration laws should be changed. And perhaps Miss Thompson had mentioned to me in her telephone conversation something about that. That is why I included it in the letter. But it was quite obvious that in spite of the sympathy which we had for these refugees we could not contemplate any change in our immigration laws at that time. It would have been impossible, I think. That is what we all thought.

MR. STRIPLING. Pardon me, Mr. Messersmith. I think the letter speaks for itself. Mr. Messersmith is just reiterating what he said in the letter, Mr. Chairman.

MR. MESSERSMITH. No. I mean——

THE CHAIRMAN. I think Mr. Messersmith would like to explain a little bit why he wrote the letter, and why he wrote such a long letter.

MR. MESSERSMITH. That is right.

THE CHAIRMAN. A nice and personal letter to Dorothy Thompson.

MR. MESSERSMITH. That is right.

THE CHAIRMAN. And I think we ought to let him continue.

MR. MESSERSMITH. She was only representative of many people in this country, and the Department of State was under very considerable attack at the time because many people in the country thought we were being too strict and too definite in our application of the law. The Department, on the other hand, has very definite responsibilities, in spite of the sympathy which we might feel for people. It was necessary for us to carry through our statutory obligations to hear every alien, because every alien who applies to a consul abroad has the right to be heard by the consul who has to reach the decision in this case, and the law specifically places the responsibility on the consul.

Now, the Department of State in those days, Mr. Chairman, could not give any directives to the consul. They could not say to the consul, "You grant a visa," or "you do not grant a visa." They could simply make available to the consul all the information which they had with regard to a particular case.

THE CHAIRMAN. And did you make available to the consul the report from Mr. Alexander?

Mr. MESSERSMITH. That was made available to him later, yes, sir, Mr. Chairman.

The CHAIRMAN. How much later?

Mr. MESSERSMITH. Not much later, certainly not—well, before he had any reason to consider the decision. I think it was in December.

The CHAIRMAN. Mr. Stripling.

Mr. STRIPLING. Now, Mr. Messersmith, did I understand you to say that the Department could not make recommendation to the consul?

Mr. MESSERSMITH. I don't think we could.

Mr. STRIPLING. Didn't you yourself make recommendations to Mr. du Bois as to whether or not he should grant his visa?

Mr. MESSERSMITH. No. I said we can't give any directives. It was desirable and necessary for us to give the consul all the information which we had, but we could not give any directives, and we did not give any directives.

Mr. STRIPLING. But you made suggestions.

Mr. MESSERSMITH. No suggestions. The only suggestion is the letter that Mr. du Bois shows I made was that I said this was a case that would require the attention of himself or one of his responsible officers. And I will give the reasons for that later, Mr. Stripling.

Mr. STRIPLING. But you didn't give suggestions?

Mr. MESSERSMITH. No suggestions, Mr. Stripling.

Mr. STRIPLING. Next I would like to introduce, Mr. Chairman—

Mr. RANKIN. Mr. Chairman, before we move to something else, I wonder if it would be in order for the members to question the witness about this particular proposition.

The CHAIRMAN. That is perfectly agreeable. You go ahead, Mr. Rankin.

Mr. RANKIN. Mr. Messersmith, you were in the State Department at that time as Under Secretary of State, is that right?

Mr. MESSERSMITH. No; as Assistant Secretary, Mr. Rankin.

Mr. RANKIN. Assistant Secretary of State.

Mr. MESSERSMITH. From about June, 19—

Mr. RANKIN. I never got the exact line of demarcation as between as undersecretary and an assistant secretary. You were informed by your own representative, your own subordinate, that this man Eisler was a Communist. Are you aware of the fact that his sister testified here that both these Eislers were in this country at that time and stayed here all during the war? While our boys were dying by the thousands to get Hitler's heel off their necks they were here fomenting revolution in this country. Are you aware of that statement?

Mr. MESSERSMITH. I learned from the testimony here that Mrs. Fischer, who is, as I understand, the sister of Mr. Eisler—

Mr. RANKIN. Yes.

Mr. MESSERSMITH. Made some statements later.

Mr. RANKIN. Oh, yes.

Mr. MESSERSMITH. And considerably later. We are talking now about the information that was available at this time.

Mr. RANKIN. Don't you think the information given by your efficient subordinate there was sufficient to put the State Department on notice that this man was a dangerous Communist and was coming to this country for no good?

Mr. MESSERSMITH. Mr. Chairman—Mr. Rankin, when I received this memorandum from Mr. Alexander, which I think was a seven- or eight-page memorandum, I read it very carefully. I had to take into account all the facts in my possession, one of them being that Mr. Alexander—who is a man, I am sure, of certain real capacities—was not one inclined to take responsibility. We had to deal, in the State Department, at that time, with the fact that some of our consul officers abroad and some of our officers in the Department were acting to a certain extent on the basis of their personal feelings. Those feelings are inclined to influence all of us.

Mr. RANKIN. Did you call that information to the attention of Mr. Sumner Welles? You were under Sumner Welles, were you not? Sumner Welles was Acting Secretary.

Mr. MESSERSMITH. Sumner Welles was higher in the hierarchy. Was the next officer, yes.

Mr. RANKIN. He was acting Secretary of State, was he not?

Mr. MESSERSMITH. No, no. He was Undersecretary of State, Mr. Rankin.

Mr. RANKIN. You were his subordinate, as I understand it.

Mr. MESSERSMITH. I was, with the other assistant Secretaries of State, in the hierarchy under Mr. Welles.

Mr. RANKIN. Did you call that information to the attention of Mr. Sumner Welles?

Mr. MESSERSMITH. I did not. I wrote letters to Mr. Sumner Welles later, but there was no need. And we must remember at that time there were thousands and thousands of letters coming into the Department every day—I mean not every day, but constantly, with regard to people. I couldn't bring a case of this kind to the attention of Mr. Welles.

Mr. RANKIN. But these Eislers were continuously beating the tom-tom, and especially this one, trying to get into or stay in the United States.

Mr. MESSERSMITH. Well, Mr. Rankin, don't you think we have to remember what we are dealing with?

Mr. RANKIN. Let me read you my question to Sumner Welles yesterday and his answer.

Mr. MESSERSMITH. Yes, but that is another matter.

Mr. RANKIN. No, it is not. It is on the same matter, exactly the same matter—

Mr. MESSERSMITH. Mr. Rankin, I must submit that we are dealing with the information which was available to me at that time.

Mr. RANKIN. All right. Now, just a moment. I asked Mr. Welles on yesterday the following:

Mr. RANKIN. Mr. Welles, as I understand it, if you had been in possession of all the information that has been developed here, it would have been your opinion that Eisler would not have been admissible into the United States?

Mr. WELLES. I would most certainly, Mr. Congressman, have requested that a far more searching and far more reaching investigation be made than that which took place.

Mr. RANKIN. If you had had the information that has been developed here?

Mr. WELLES. That is correct.

Mr. MESSERSMITH. Yes.

Mr. RANKIN. In other words, if this information, according to Mr. Sumner Welles' testimony, had been communicated to him or brought

to his attention, he would have gone into the proposition thoroughly, and if the facts developed as they have developed since and could have been developed at that time, he would have held that this man was not admissible to the United States.

Mr. MESSERSMITH. Well, it wouldn't have been in the position of Mr. Welles to hold that he was not admissible because that was not within his or my authority. But again I submit——

Mr. RANKIN. Whose authority——

Mr. MESSERSMITH. Mr. Welles. I again submit, when he answered that question, was saying, Mr. Rankin, if he had the information which had been developed yesterday. But that was not available to us at that time, and that is a point which I must go into later.

Mr. RANKIN. Yes; but you had the information in black and white developed by one of your efficient subordinates to the same effect as was developed by the testimony here yesterday.

Mr. MESSERSMITH. No, Mr. Rankin. I think you would——

Mr. RANKIN. You say it was not in Mr. Sumner Welles' power to exclude this man. In whose power was it?

Mr. MESSERSMITH. Under the law a person who wishes to enter the United States has to apply for a visa to a consular officer in the district in which he is residing. And under the statute the consular officer is the sole person who can pass on that evidence, based on an examination of the alien——

Mr. RANKIN. And the consular officer is a subordinate of the State Department, isn't he?

Mr. MESSERSMITH. Oh, yes.

Mr. RANKIN. All right. Then he was under you or Mr. Sumner Welles.

Mr. MESSERSMITH. This is a well-debated question, Mr. Chairman, which has been decided long since, that the statute places the duty on the consul to make this decision and the State Department cannot interfere in that decision.

Mr. RANKIN. Well, Mr. Messersmith——

Mr. STRIPLING. Mr. Rankin, if I may interrupt you, I have the documents which pertain to this very point, which I think would clarify this whole matter.

Mr. RANKIN. All right. Thank you, Mr. Stripling.

Mr. STRIPLING. Mr. Messersmith, you stated that the Department did not make directives or suggestions to the consulate in whose authority and domain it is to determine whether or not an applicant gets a visa.

Now I am going to refer to a memorandum, of December 3, 1938, of Coert du Bois, American consul general—and he is the person to whom Hanns Eisler had made application—addressed to the Secretary of State.⁶⁸ It says:

SIR: I have the honor to refer to the Department's instruction, dated June 11, 1938, and to previous correspondence in the case of Johannes Eisler, a prospective applicant at this office for an immigration visa, and to inform the Department that I am in receipt of an inquiry from Soffer & Rediker, attorneys, 160 Broadway, New York, concerning the investigation being undertaken in the matter. It is accordingly respectfully requested that the findings of the Department's investigation be transmitted at an early date.

⁶⁸ See appendix, p. 192, for exhibit 80.

On December 23, 1938, in a strictly confidential memorandum signed by yourself, and addressed to Coert du Bois, American consul general at Habana, Cuba,⁶⁹ you say—

Mr. MESSERSMITH. A letter?

Mr. STRIPLING (reading) :

The Department acknowledges the receipt of your despatch No. 636 of November 29, 1938, concerning the case of Johannes Eisler, a prospective applicant for an immigration visa at your office.

There is enclosed herewith a copy of a summary of the file of the Department of Labor concerning the alien mentioned, which has been prepared in the Department, and from which it will be noted that the alien may have political views or affiliations which would render him inadmissible into the United States. It is not believed, however, that you can pass properly upon the alien's case until he shall have appeared at your office and executed a formal application for an immigration visa, supplemented as provided in note 80, section 361, part II, Foreign Service Regulations, and until the Supreme Court of the United States shall have passed upon the Strecher case, which is now pending before the Court.

It is suggested that further inquiries regarding the case be answered by pointing out the necessary waiting period under the alien's quota and that no decision can be reached regarding his eligibility to receive an immigration visa until he departs from the United States, awaits his turn on the waiting list, and is formally examined in connection with his application for an immigration visa.

Very truly yours,

G. S. MESSERSMITH

(For the Acting Secretary of State).

Mr. RANKIN. What is the date of that?

Mr. STRIPLING. That is December of 1938.

Now, Mrs. Roosevelt entered the case in January 1939, through Mr. Sumner Welles. Thirteen days after Mrs. Roosevelt entered it, here is what you wrote to Mr. du Bois, on this same matter :⁷⁰

You will recall that there has been considerable correspondence concerning a Mr. Hans Eisler and his wife who desire to secure visas to proceed to this country for permanent residence. The question has been raised as to whether Mr. Eisler may not hold beliefs or have affiliations which, under our law, would make it impossible for him to be given a visa.

Mr. Eisler, I understand, is now in this country on a temporary visitor's visa and intends to proceed to Habana to apply for a nonquota visa as a professor. Various persons in this country have from time to time written to the Department with regard to him and they have given assurances that in their opinion Mr. Eisler is not a man who holds opinions such as would exclude him from this country under our laws. I am now transmitting to you herewith a letter which the Under Secretary, Mr. Welles, has written to Mrs. Roosevelt in reply to an inquiry which he has received from her. You will note that the Under Secretary has replied to Mrs. Roosevelt as specifically as is possible for us to do and an endeavor has been made to give as clear information as is possible. The decision, of course, as to whether a visa may issue rests upon the consulate general in Habana or where he may apply.

I may tell you that I have personally gone through the rather heavy file that we have covering Mr. Eisler. While there is no question in my mind that Mr. Eisler is a man of very liberal views and while his name has been mentioned in some communistic papers and while he may have written certain pieces of music which have a communistic title, I find it difficult myself to believe that information which we have so far seen would be sufficient to prove that Mr. Eisler is a Communist or holds views which would exclude him from our country. I am inclined to believe that Mr. Eisler is a musician and an artist who does hold liberal views but I can find nothing which would indicate that he believes in the overthrow of government by force or that he has been engaged in activities of a communistic or subversive character either abroad or in this country.

It would seem to me that, unless there is definite and convincing proof that Mr. Eisler does hold opinions which would exclude him, his case can be favorably

⁶⁹ See appendix, p. 192, for exhibit 81.

⁷⁰ See appendix, p. 192, for exhibit 82.

considered from that point of view. I think in this connection an examination of Mr. Eisler himself should be conclusive in the absence of any proof to the contrary of his statements. If, when Mr. Eisler should call at the consulate at Habana, he definitely states that he does not hold views for which he could be excluded under our immigration laws, I do not believe that a visa could be withheld unless the consul has evidence which would disprove his statements.

In view of the fact that this case has been pending for some time and has received a certain amount of attention, I believe it would be advisable, when Mr. Eisler presents himself for a visa, that you either see him yourself or that you delegate one of your most responsible officers to consider this case.

Very sincerely yours,

G. S. MESSERSMITH.

Now, Mr. Messersmith, it certainly appears to me that that was a very strong suggestion to the consulate general and rather a reversal, if I may say so, in your position.

Mr. RANKIN. That was almost a directive, was it not?

Mr. MESSERSMITH. No. Mr. Chairman—

The CHAIRMAN. If you can explain yourself out of this one, you are good. Now, go ahead.

Mr. MESSERSMITH. Well, Mr. Chairman, I don't think that I need any explaining of myself, because so far as I am concerned, I have never had any contact with Mr. Eisler. For me it was simply a case which had come across my desk and which required my attention.

At that time, as I told you before, there was this strong feeling in this country that many of our officers, including officials of the Department, were not giving adequate attention to some of these cases that were presented. As a matter of fact, some of our officers had to be removed and transferred because they had shown prejudice in the examination of visa cases. Any man who would not at that time have given the most serious consideration to every case that came to his attention would have had his own conscience crucified, if he knew what was happening in the world, and he would have been crucified by public opinion in this country.

It was necessary for officers of the Department, both in Washington and in the field, to give the most careful, considered and objective consideration to every case that came before it.

Now, so far as Mr. du Bois is concerned, I think he is now a retired Foreign Service officer. I had known him at the time that this letter was written for many years. He was a very capable officer. But Mr. du Bois had the attitude toward visa cases that they were a molestation and took time away from other things, and like some of us are known to be, he was known to be a little tough. When this question came up of Mr. Eisler's application impending at Habana, two of my assistants, known as executive assistants at the time: Mr. Charles Hosmeyer, who was a high-ranking Foreign Service officer, and who died from really the result of overwork a few years ago, and Mr. Fletcher Warren, who is now our Ambassador to Paraguay, having just gone there from his post in Managua where he was ambassador for several years, said to me:

You'd better send this letter addressed to Mrs. Roosevelt to Coert du Bois in Habana, because you know that Coert is a little tough about these things and he may not give it attention, and it would be better for you to bring it to his attention so that the case will receive the really adequate going into that it should.

The CHAIRMAN. Except that Mrs. Roosevelt now says that it was just a routine matter and she doesn't know anything about it.

Mr. MESSERSMITH. Of that I know nothing, Mr. Chairman.

So this letter to Mr. du Bois was written to him at the suggestion of my two associates, merely to make it clear to him that this was a case which had angles which made it necessary for him to go into it very carefully. The suggestion was that he should examine it himself, or have one of his responsible officials in the Embassy, one in whom he had every confidence and who would go into it thoroughly, examine it.

The CHAIRMAN. Tell me, Mr. Messersmith, when did Mrs. Roosevelt get in touch with you? What was the date?

Mr. MESSERSMITH. Mrs. Roosevelt was not in touch with me.

The CHAIRMAN. She got in touch with Mr. Welles on January 11.

Mr. MESSERSMITH. I think she wrote the letter to Mr. Welles on January 11.

The CHAIRMAN. When Dorothy Thompson got in touch with you, you took the attitude that you should spend a lot of time in explaining the situation and giving both sides of the story, and that nothing should be done at this time. But when Mrs. Roosevelt gets in touch with Sumner Welles on January 11, you come out with this letter of January 24 to Mr. du Bois, and you say this—I just want to read this over to you:

It would seem to me that unless there is definite and convincing proof that Mr. Eisler does hold opinions which would exclude him, his case can be favorably considered from that point of view.

And yet you had proof from your own man, Mr. Alexander, the best proof that you could possibly want——

Mr. MESSERSMITH. We had no——

The CHAIRMAN. And you didn't even mention that in the letter.

Mr. MESSERSMITH. We had no——

The CHAIRMAN. The point I am trying to make is: There was a big reversal of position on your part after Mrs. Roosevelt got in touch with Mr. Welles on January 11.

Mr. MESSERSMITH. May I respectfully suggest, Mr. Chairman, that if there appears to be such a reversal of attitude, it is something which is your opinion and certainly not anything of which I was conscious of at the time.

The CHAIRMAN. Well, the facts—it is not opinion—show there was a reversal of opinion.

Mr. MESSERSMITH. No.

The CHAIRMAN. You take your letter to Dorothy Thompson and put it right next to your letter to Mr. du Bois and you will see yourself there was a reversal.

Mr. MESSERSMITH. No.

Mr. STRIPLING. Mr. Chairman, I can give you a document in that connection. On April 30, 1940, Assistant Secretary of State, Mr. Breckinridge Long, wrote to Mr. du Bois about this same case, and here is what he said:⁷¹

Referring to the Department strictly confidential instructions of December 23, 1938—

which we never did get—

due precaution should, of course, be taken in order to preclude the issuance of a visa to an alien who is inadmissible into the United States under the provisions

⁷¹ See appendix, p. 192, for exhibit 83.

of the act of October 16, 1918, as amended by the act of June 5, 1920. In this connection it may be pointed out that the alien's own statements need not be regarded as conclusive evidence of the facts concerning his admissibility, but should be appropriately considered in conjunction with other evidence in the case.

Mr. Messersmith in his memorandum stated—

If Mr. Eisler appeared and denied himself that he was a Communist he should be given a visa.

Mr. Long says the mere fact that he says he is not a Communist should not be sufficient.

APRIL 30, 1940.

COERT DU BOIS, Esq.,

American Consul General, Habana, Cuba.

SIR: Reference is made to the immigration case of Hanns (Johannes) Eisler, which is understood to be again pending at your office after having been submitted for your consideration in 1938 and subsequently transferred to the consulate general at Mexico, D. F., in which city the applicant was stated by that office to have resided from on or about May 2, 1939, until September 7, 1939.

Mr. Leo Taub, attorney at law, of New York City, has recently called at the Department, stating that it had been suggested to him at your office that he discuss the question of the 2-year period required under section 4 (d) of the Immigration Act of 1924, and request that you be furnished an instruction relative thereto. Reference is made in this connection to the discussion of this general question contained in the Department's recent instruction regarding the individual case of Dr. Heinrich Friedlaender.

Before reaching any conclusion in the case of Mr. Eisler, with regard either to the question whether he has been following the vocation of professor in the United States or other aspects of his application, it is suggested that you communicate with the consular officer at Mexico City with a view to obtaining the file of his office concerning the applicants, in the event you have not already done so.

Referring to the Department's strictly confidential instruction of December 23, 1938, due precaution should, of course, be taken in order to preclude the issuance of a visa to an alien who is inadmissible into the United States under the provisions of the act of October 16, 1918, as amended by the act of June 5, 1920. In this connection it may be pointed out that the alien's own statement need not be regarded as conclusive evidence of the facts concerning his admissibility, but should be appropriately considered in conjunction with other evidence adduced in his case.

It is suggested that the alien be informed that no decision can be reached regarding his eligibility to receive an immigration visa until he departs from the United States and is formally examined in connection with his application.

You are requested to keep the Department informed regarding the developments in the case.

Very truly yours,

BRECKINRIDGE LONG
(For the Secretary of State).

The CHAIRMAN. Well, we will recess now and we will reconvene at 2 o'clock.

Mr. MESSERSMITH. Mr. Chairman—

The CHAIRMAN. At 2 o'clock, Mr. Messersmith, you may make your statement.

AFTERNOON SESSION

The CHAIRMAN. The meeting will come to order.

Mr. Stripling.

TESTIMONY OF GEORGE S. MESSERSMITH—Resumed

Mr. STRIPLING. Mr. Messersmith, regarding the letter which you wrote to Dorothy Thompson, I have here a photostatic copy of her

reply, dated November 8, 1938, from Dorothy Thompson, 88 Central Park West, New York City: ⁷²

DEAR GEORGE: I am a bit discouraged and upset about your letter concerning Eisler, but I am grateful, nevertheless, for all of the trouble you have taken in this matter.

Cordially,

DOROTHY.

Mr. Chairman, I ask that that be received.

The CHAIRMAN. Without objection, so ordered.

Mr. STRIPLING. Next, Mr. Chairman, I have a memorandum, addressed to Mr. Warren, signed "RCA"—I assumed Robert C. Alexander.⁷³ I believe you said Mr. Warren was the chief of the Visa Division?

Mr. MESSERSMITH. Was chief.

Mr. STRIPLING. The memorandum reads:

Here is another case of an alien Communist who is in this country as a non-immigrant temporary visitor. He desires to proceed to Habana for the purpose of obtaining a quota immigration visa. Until the Strecker case is decided by the Supreme Court I do not see how Habana can pass properly upon the alien's admissibility under the immigration laws.

I suggest that the file be returned to me to hold until the Strecker case is decided and that if Carroll King makes any further inquiries about the case she be advised that certain phases of the case are under consideration but no conclusion can be reached until the alien departs from the United States, applies for an immigration visa at the American consular offices, and the consular officer advises the Department further regarding the alien's visa application.

Then there is a notation in handwriting which says, "How does this case resemble the Strecker case."

Now, Mr. Chairman, the Strecker case, as I have been able to determine from the file, has no bearing whatever on this case. It dealt entirely with a person in the United States and who was being deported. Here we have a man who is seeking a visa to enter the United States. There is a memorandum here from the legal adviser of the Department of State on the Strecker case, but unless Mr. Messersmith desires to bring up this question of the Strecker case, I see no need of going into it.

Mr. MESSERSMITH. Mr. Chairman, in this sense, that the Strecker case was constantly before the Department in the consideration of visa cases, or the possible application of it to visa cases, in view of the fact that a Circuit Court of the United States had reached a decision to the effect that previous membership in the party would not affect deportation if it was proved that at the time of deportation or entry the person was not a member of the party.

In the memorandum of October 10, to which counsel has referred, Mr. Alexander states:

Until the Strecker case is decided by the Supreme Court I do not see how Habana can pass properly upon the alien's admissibility under the immigration laws.

Mr. Warren replied to the memorandum of Mr. Alexander by stating:

Hold the attached file until the Supreme Court's decision in the Strecker case is announced.

⁷² See appendix, p. 192, for exhibit 84.

⁷³ See appendix, p. 192, for exhibit 85.

The Strecker case was decided by a circuit court—I forget which one—in April, 1938, and the Supreme Court decision was made, I believe, in April 1939, supporting the decision of the circuit court, and under that decision the Department of State, which has to be governed by the law, had to take into account the fact that at the time of entry previous membership in the Communist Party would not hold against a man, that it had to be proved that at the time of entry, or at the time of deportation, that he was a member of the party.

The CHAIRMAN. Am I correct in assuming from what you said, Mr. Messersmith, that you took the Strecker case into consideration in permitting this man to get a visa?

Mr. MESSERSMITH. Well, Mr. Chairman, the Strecker case I said was one of the many factors in connection with visa matters that had to be taken into account in the Department in determining its general attitude toward such cases, but so far as the latter part of your observation is concerned in the Department determining that a visa could be granted the Department of State was not in a position, as I said this morning, to determine whether a visa could be granted or could not be granted, because under the statute it is the consul who must determine whether, on the basis of evidence presented, and which he must carefully examine at the time, whether a visa can issue under the law.

And in all the letters which you will note have been written in this case, as well, as I am sure, the record in the State Department would show, of all letters and instructions which were written in connection with visa cases, the Department has emphasized under the statute that the responsibility for the decision on the evidence as to whether an applicant can or cannot be given a visa rests upon the consul.

The CHAIRMAN. Except in that last letter that was read.

Mr. MESSERSMITH. No; I must really—I mean, Mr. Chairman, that letter did not give any directions at all, because the last statement in the letter was, to Mr. du Bois, you will go into this case very carefully yourself, or have one of your officers, and the only thing that meant was that if there had not been adequate examination of such a case by any consul it would lead to popular reactions in this country.

The CHAIRMAN. Let me ask you what you meant by one sentence in that letter.

May I have the letter?

What did you mean by this one sentence—and I quote from your letter of January 24 to Mr. du Bois:

It would seem to me that unless there is a definite and convincing proof that Mr. Eisler does hold opinions which would exclude him his case can be favorably considered from that point of view.

Mr. MESSERSMITH. Yes; because, as a matter of justice—I mean, after all, Mr. Chairman, when one sits in a position of responsibility and one of having to give his own direct guidance to the people who are acting for the Department, you have to call attention to the fact that our decisions and our actions must be based on the facts.

Now, we had sent to the consul in Habana all the information which we had, and all I wished to point out was that at the time that Mr. Eisler, or any other visa applicant, made his appearance before the consul in order to make an application for a visa, of whatever kind, that it was necessary to go into all the facts and that we could not—I mean it stands to reason that, in all justice, a consul officer, as an

officer with a statutory responsibility given him by Congress, could not take any prejudiced position. He would have to have proof.

The CHAIRMAN. You hold, then, that he was prejudiced?

Mr. MESSERSMITH. No; I don't say he was prejudiced. Pardon me, Mr. Chairman. I said Mr. du Bois was considered to be a little bit tough. I may have been considered so myself.

The CHAIRMAN. It couldn't be that you had become prejudiced after you got the word from Mrs. Roosevelt?

Mr. MESSERSMITH. Mr. Chairman, I don't want to speak about myself, but I think that during all of the many years that I have been in the Foreign Service the record must speak pretty clearly. I have acted only always in the best interests of my country, and I have not allowed my personal feelings or prejudice to influence me.

So far as I am concerned, I have always been, and the record will show that I have always been very strongly anti-Communist. I could not, however, permit that personal attitude of mine to prejudice my attitude with regard to an individual who had to appear before the consul—which was another form of court—a little court.

The CHAIRMAN. Don't you think by that sentence you practically gave him a directive?

Mr. MESSERSMITH. No, Mr. Chairman.

The CHAIRMAN. Then what would you call it? Would you say a strong suggestion?

Mr. MESSERSMITH. It was an observation to a consul officer whom I knew.

The CHAIRMAN. Listen to this again—and this is the last time I am going to read it:

It would seem to me that, unless there is definite and convincing proof that Mr. Eisler does hold opinions which would exclude him, his case can be favorably considered from that point of view.

And your own man, Alexander, stated that there was no question but what he was a Communist.

If that isn't a directive or strong suggestion I don't know what one is.

Mr. MESSERSMITH. I think, Mr. Chairman—I think it is a perfectly correct and proper statement of the situation. Insofar as the statements made by Mr. Alexander in that memorandum of October 24 are concerned, I always gave considered consideration to the statements in that memorandum, but I had to bear in mind that Mr. Alexander had based his opinion entirely on articles which had appeared in the Daily Worker, and on reports which had come to the Department about 2 years before from some organization in Phoenix, Ariz., the character of which has never been—we were not able to determine at that time, and of which I know nothing today, but which I believe was of not considerable importance.

The CHAIRMAN. Did you check up and find out what Mr. Alexander's position was?

Mr. MESSERSMITH. I don't recall the conversation with Mr. Alexander, but later on the record shows that I asked Mr. Coulter, who was, I believe, assistant chief of the Division at the time, to give me an oral report on the matter, and I know that the opinion that Mr. Coulter gave me at the time was that there was no adequate information in the Department files to substantiate such a statement.

The CHAIRMAN. I mean this noontime, did you get in touch with the State Department to determine just what position Mr. Alexander held at that time?

Mr. MESSERSMITH. I didn't understand.

The CHAIRMAN. This noon, did you get in touch with the State Department to determine what Mr. Alexander's position was at that time?

Mr. MESSERSMITH. No.

The CHAIRMAN. All the time you have referred to him as a clerk.

Mr. MESSERSMITH. No; I have not been in touch with the Department.

The CHAIRMAN. We asked Mr. Russell to check up. Perhaps he has it.

Mr. MESSERSMITH. May I say that Mr. Littell got from the State Department register a statement—they have a register which carries all of the officers and employees of the Department, and this is what it says—

The CHAIRMAN. Is that a modern statement?

Mr. MESSERSMITH. Yes. This is of this date.

Mr. STRIPLING. Mr. Chairman, we have the statement from the chief of the Legal Division about Mr. Alexander's position.

The CHAIRMAN. Let Mr. Messersmith read what he has.

Mr. MESSERSMITH (reading) :

Alexander, Robert Clark. Born near Paris, Tenn. Robert E. Lee private tutor; YMCA School of Accounting; Southeastern University Law School, 1925-26; Washington College of Law, 1927; private secretary to Secretary of State, 1929; law clerk with counsel for Chile in Tacna-Arica; arbitration income tax accountant and secretary, 1924-28; appointment clerk, at \$1,800, in State Department, January 1, 1929; at \$1,920, July 1, 1930; at \$2,300, June 1, 1931; administrative assistant, at \$3,200, July 1, 1930; technical adviser, at \$3,600, August 3, 1938; division assistant, at \$4,600, August 1, 1941; Assistant Chief, Visa Division, November 26, 1941, at \$5,600 (P-6), December 16, 1941; member of Efficiency Rating Commission in 1942; technical adviser, special mission to American Embassy at Panama, February 1942; technical assistant to United States delegate, meeting of representatives of United States and British Governments to consider the refugee problem, Bermuda, 1943; chairman, Efficiency Rating Commission, 1946.

The CHAIRMAN. Do you have anything to add to that, Mr. Stripling?

Mr. STRIPLING. No, Mr. Chairman, except that I think Mr. Messersmith clarified the situation in the hearing this morning; he had referred to this employee as a clerk, but he stated that very important posts in the Department are held by people who go under the title of clerk. I assume Mr. Alexander must have had sufficient responsibility if Mr. Messersmith called him in to prepare a résumé of the file for him or to perform other duties. Certainly he wouldn't call on someone who was irresponsible to do it.

Mr. Alexander has appeared before a number of congressional committees on visa matters and on visa law; and, as was pointed out, he is now Assistant Chief of the Visa Division. At the time this happened he was technical adviser of the Visa Department.

The CHAIRMAN. I think you have sufficiently identified him. Go ahead.

Mr. STRIPLING. Mr. Messersmith, on March 2, Donald Stephens, who was identified yesterday, I believe, wrote Sumner Welles, Under Secretary of State,⁷⁴ in which he stated:

Our esteemed mutual friend, Mrs. Eleanor Roosevelt, has been good enough to show me your letter of February 10, in which you made observations relative to my letter of February 3 regarding the case of my friends, Mr. and Mrs. Hanns Eisler.

Do you recall whether or not this letter was referred to you by Mr. Welles?

Mr. MESSERSMITH. When I saw that letter in the file—and I think it is in the file in the State Department which was shown to me—I had no recollection of that letter whatever, and so far as Mr. Donald Stephens is concerned, I am very certain—well, I mean, it is awfully difficult after one has been in this business for so long to say that you have never met somebody, because I have people telling me all the time that they know me, and they recall circumstances, and so forth.

Mr. STRIPLING. You did receive it?

Mr. MESSERSMITH. No: I don't remember that letter at all, except as I saw it in the files.

Mr. STRIPLING. It has your stamp, Mr. Messersmith, March 10, 1939, "Assistant Secretary of State, Mr. Messersmith."

Mr. MESSERSMITH. Yes; that may have been received, Mr. Chairman, in my outer office, you see, but there was some of these letters that were not necessarily shown to me. They may have been seen by Mr. Warren—by my administrative assistants.

I have no recollection of the letter whatever.

Mr. STRIPLING. On March 11, 1938, you wrote to Mr. Stephens:⁷⁵

MY DEAR MR. STEPHENS: I have before me your letter of March 2 which you addressed to the Under Secretary, Mr. Welles, with further reference to the case of Mr. and Mrs. Hanns Eisler. Mr. Welles has referred this letter to me for acknowledgment, as I am familiar with all the facts involved.

It will interest you, I am sure, to know that I have been in touch this morning over the telephone with Dr. Alvin Johnson, of the New School of Social Research, and I have indicated to him the steps which I think Mr. Eisler should take in order to secure a prolongation of his stay in this country on his present visa.

Believe me,

Very sincerely yours,

G. S. MESSERSMITH.

Mr. Messersmith, do you recall what you told Mr. Johnson for Mr. Eisler to do in order to prolong his stay in this country—even though you had been previously advised that he was a Communist, and in the memorandum which advised you that he was a Communist it also stated that he was here through fraud.

Mr. MESSERSMITH. What was the latter part of the question?

Mr. STRIPLING. In Mr. Alexander's résumé of the Labor Department file he states that Mr. Eisler was here through fraud, in that he used a fraudulent passport or visa which he obtained in Prague to enter this country originally.

Mr. MESSERSMITH. May I ask counsel whether this letter was in the file from the State Department—because I have no recollection of seeing this.

⁷⁴ See appendix, p. 191, for exhibit 60.

⁷⁵ See appendix, p. 192, for exhibit 86.

Mr. STRIPLING. Yes; it was.

Mr. MESSERSMITH. I have no recollection of it. This letter, in reply to Mr. Stephens to Mr. Sumner Welles' letter, which I said I did not remember, bears my initials as the dictating officer, so I must have seen Mr. Stephens' letter and dictated this reply.

But may I ask again whether this letter was in the file that was in the State Department that I saw—because I have no recollection of seeing it there.

Mr. STRIPLING. I believe it contains your stamp. It contains your stamp, "G. S. Messersmith."

Mr. MESSERSMITH. Yes.

Mr. STRIPLING. It says, "A true copy of the signed original."

Mr. MESSERSMITH. I don't think it is important. I am not giving any importance to this except from this—I have a résumé here of the letters that were in the State Department file that I saw, and it contains no reference to this letter, and I have no recollection of it. So far as this letter is concerned, I wrote the letter, because my initials—that is a photostatic copy, and my initials are there.

Mr. STRIPLING. The question is—

Mr. MESSERSMITH. The further indication—I said that I talked with Mr. Alvin Johnson. I just wanted to correct what I had said—that I had no recollection of the letter. I must have seen it.

Mr. STRIPLING. Now, getting back to the question. You say:

I have been in touch this morning over the telephone with Dr. Alvin Johnson, of the New School of Social Research, and I have indicated to him the steps which I think Mr. Eisler should take in order to secure a prolongation of his stay in this country on his present visa.

You are suggesting to Dr. Johnson means by which Mr. Eisler can remain here, even though you had before you a document to the effect that the man was a Communist; furthermore, that he might be illegally here.

Mr. MESSERSMITH. Well, you make it necessary for me—Mr. Chairman, counsel makes it necessary for me to revert again to this memorandum of Mr. Alexander. I don't like to make remarks which are derogatory or which reflect on any person who has worked with me, but it makes it necessary for me to say that—this reference by counsel to this memorandum makes it necessary for me to say that during the time that I was Assistant Secretary of State that I was not happy with the manner, the correctness, the completeness, the objectivity with which Mr. Alexander went into these matters. As a matter of fact, to the degree—last evening I happened to meet, in the Metropolitan Club, a friend who was closely associated with me in the Department at that time, and to whom I made ment of this memorandum, and he said: "Why didn't you fire him, as we often said we ought to at the time?"

Mr. Wood. Mr. Chairman—

The CHAIRMAN. Mr. Wood.

Mr. Wood. I understood Mr. Messersmith to leave the impression this morning with the committee that he knew Mr. Alexander only casually. Is that right, Mr. Messersmith—that you didn't know what position he held in the Department?

Mr. MESSERSMITH. I did not say that; I am sorry.

Mr. Wood. That is the distinct impression that you left with me.

Mr. MESSERSMITH. I said distinctly this morning—and if you will examine the record you will find it so—that Mr. Alexander was one of the people working in the Visa Division.

Mr. WOOD. But you didn't even know the position.

Mr. MESSERSMITH. I did not know the exact position that he held there, but I knew he was working there—that he was writing memorandums.

Mr. WOOD. But now you say that his work was so unsatisfactory that you were not happy in your connection with him.

Mr. MESSERSMITH. Exactly.

Mr. STRIPLING. Mr. Chairman—

Mr. MESSERSMITH. May I be permitted to continue?

The CHAIRMAN. Go ahead, Mr. Messersmith.

Mr. MESSERSMITH. I am a very patient person, and I want to collaborate with the committee in the most complete manner, because I am in sympathy with your objectives. There is no way in which this committee can ask me to work with it that I would not be willing to work with it, with my whole heart, because I am one of those who feel strongly about these things. I am not here to defend Hanns Eisler. I have no interest whatever in that case. I never knew the man. I dealt with it only as a name and a case that went over my desk, and I handled it in an administratively just and correct manner, as it had to be handled, at the time.

When this particular memorandum from Mr. Alexander came, and the letter, I asked for the full information that we had in the files which would substantiate these very categoric statements which were made about Mr. Eisler being a Communist and having secured visas by fraud, and there was nothing—there was nothing in the Department files which I could get; and, as Assistant Secretary, I should have been able to get what there was. There was nothing that I could get—

The CHAIRMAN. Mr. Messersmith—

Mr. MESSERSMITH. Beyond the reference to the articles in the Daily Worker and beyond these letters which had been received in 1936 from, I believe, Phoenix, Ariz.—to indicate that he was a Communist—and there was nothing to indicate whatever that he had secured visas fraudulently. If he had secured visas fraudulently—he had had several visas before this matter ever came to my desk, in some years before, you know, as has been brought out in the record—then the Immigration Service and the Department of Justice should have long since taken action, if they had information of an adequate character, and I am sure they would have taken it, if they had, in order to exclude him, deport him, and prevent the issuing of further visas.

The CHAIRMAN. When there became considerable doubt in your mind as to the correctness of Mr. Alexander's statements, did you contact Mr. Alexander and ask him for his proof?

Mr. MESSERSMITH. I have no recollection—yes; we asked Mr. Alexander at the time what his proof was, but we could not get any.

The CHAIRMAN. At least you had good gratuitive powers, if nothing else.

Mr. MESSERSMITH. But he was inclined to make these categoric statements.

For instance, on April 22 Mr. Alexander—I am very sorry to go into this, because, with regard to Mr. Alexander, I have no feelings what-

ever—but on April 22, 1939, he wrote a memorandum for Mr. Warren which I had asked for. It was brought to my attention orally by someone in the Department that a request had been made for the transfer of the papers of Mr. Eisler from Habana to Mexico City, and I considered that a very strange thing, because I couldn't understand why a man should request a transfer from Habana to Mexico. So I asked for information as to why—I asked the Visa Division as to why this change could have been made, and on April 22 Mr. Alexander prepared a memorandum for Mr. Warren, which was intended for my information, which read something like this—giving the reasons as to why he might have asked for this transfer:

1. In view of the communistic background of Eisler, the interested persons may feel that he would be more likely to be comfortable in Mexico than in Cuba while awaiting the issuance of an immigration visa—

Mr. STRIPLING. Mr. Chairman, may I interrupt? That memorandum is going to be put into the record, but I think we should put it in at the right place.

The CHAIRMAN. Do you mind, Mr. Messersmith?

Mr. MESSERSMITH. Really, this thing has come up all the time, Mr. Chairman: and, as I said, I want to cooperate with this committee, because I am in agreement with its objectives, but I think that counsel should permit me also, as a matter of courtesy—

The CHAIRMAN. All right; you will be permitted to read the memorandum, and then we will bring it up later.

Mr. STRIPLING. Mr. Chairman, I think there ought to be more consideration in this matter. This is an important memorandum.

Mr. MESSERSMITH. That is why I want to make reference to it.

Mr. STRIPLING. I want the record to be straight on this point.

This memorandum, résumé of the files of Mr. Alexander, which you are now seeking to discredit, was so important to you that on December 23, 2 months after it was written, you sent it down to Mr. du Bois and said:

There is enclosed herewith a copy of the summary of the file of the Department of Labor concerning the alien mentioned which has been prepared in the Department.

If you had such a low regard for his work, why did you send it to the consul general?

Mr. MESSERSMITH. I have tried to make it clear that the Department of State and its responsible officers considered it their duty, because they could not decide on visa cases, to give the consul officer, who had to reach the decision, all possible information; and therefore it was just a matter of course that I would send—or, rather, that the Department would send—such a memorandum to the consul concerned.

The implication that special attention should be given to it, that counsel wishes to convey, is not correct.

The CHAIRMAN. Read the memorandum.

Mr. MESSERSMITH. If I might have the original.

Mr. STRIPLING. Mr. Chairman, this memorandum is not signed by Mr. Alexander—

Mr. MESSERSMITH. It has his initials on it.

Mr. STRIPLING. That is right. It is signed "A. M. Warren, Chief of the Visa Division." Mr. Warren must have approved of the memorandum or he wouldn't have signed it.

The CHAIRMAN. Let the witness read the memorandum.

Mr. MESSERSMITH. I only have a very few things here—

Mr. STRIPLING. Mr. Chairman, I submit Mr. Messersmith and Mr. Littell have had the State Department's complete file. That is something this committee didn't have; still don't have.

The CHAIRMAN. That is true, but Mr. Messersmith has had a hard time today, and we will make it as easy for him as we possibly can.

Go ahead.

Mr. MESSERSMITH. There is a memorandum here, in my handwriting, Mr. Chairman, to Mr. Warren, in which I say—

The CHAIRMAN. You were just going to read that.

Mr. MESSERSMITH (reading):

I wonder what the transfer of the case to Mexico City means.

Mr. Alexander, at the request of Mr. Warren, prepared the memorandum on that, and he says:

While the Visa Division has received no information which would indicate the reasons of the interested persons for having the file in the case of Hanns Eisler transferred from Habana to Mexico City, it is believed that this has been done for one or more of the following reasons—

These are personal opinions of Mr. Alexander:

(1) In view of the communistic background of Eisler, the interested persons may feel that he would be more likely to be comfortable in Mexico than in Cuba while awaiting the issuance of an immigration visa.

(2) The interested persons may have found that the entry of Eisler into Mexico can be accomplished with greater facility than entry into Cuba.

(3) Since Eisler is said to be without substantial financial resources, it may be that the opportunity for earning a livelihood is brighter in Mexico than in Cuba, which is already congested with refugees.

(4) The interested persons may believe that they can bring greater pressure to bear on the consul general at Mexico City—possibly through Ambassador Daniels—than they have been able to bring on the consul general at Habana through the Department.

(5) It may be that the interested persons fear the ultimate refusal of an immigration visa in Eisler's case, in which event he would probably prefer to remain in Mexico than in Cuba for an indefinite period.

(6) The interested persons may contemplate the refusal of an immigration visa in this case and may therefore be planning to have the alien return to the port of entry without an immigration visa (which could be easily accomplished at any of the ports of entry on the Mexican border) and there seek a writ of habeas corpus on the ground that the alien had been improperly excluded at the port (if he should be excluded) because of an alleged improper refusal of the immigration visa.

(7) The interested persons may realize that it would be much easier for Eisler to effect an illegal reentry into the United States from Mexico than if he were refused an immigration visa in Cuba and were faced with the problem of reentering illegally from that country.

(8) In view of Eisler's lack of funds, it may be that some person is planning to take him into Mexico by automobile, which would be more difficult if he were going to Cuba.

It is believed that the case may be filed pending further developments.

The CHAIRMAN. That is signed by whom?

Mr. MESSERSMITH. That is signed by Mr. Warren, but it was dictated—prepared by Mr. Alexander.

The CHAIRMAN. But Mr. Warren read it before it was sent out?

Mr. MESSERSMITH. That I don't know.

The CHAIRMAN. Proceed.

Mr. MESSERSMITH. Mr. Chairman, I asked that that memorandum be read for a specific reason, because these questions have been raised

with regard to previous memoranda. The memorandum shows why I had not too high an opinion of Mr. Alexander's judgment. He says here:

1. In view of the communistic background of Eisler, the interested persons may feel that he would be more likely to be comfortable in Mexico than in Cuba while awaiting the issuance of an immigration visa. * * *

Mr. STRIPLING. We are going to proceed with the case.

The CHAIRMAN. Mr. Stripling.

Mr. STRIPLING. The essence of the entire memorandum is the sentence before. He says "it is believed that this has been done for one or more of the following reasons." You asked him for it. His observations on it were quite proper.

The CHAIRMAN. Mr. Messersmith, we permitted you to read the memorandum. We will now proceed.

Mr. MESSERSMITH. Yes; I want to make certain observations on the memorandum.

The CHAIRMAN. You can make your observations when we refer to the memorandum in the regular order of our investigation.

Go ahead, Mr. Stripling.

Mr. STRIPLING. Mr. Chairman, I believe we were discussing the letter which Donald Stephens wrote to Sumner Welles and which was referred to Mr. Messersmith.

This is a letter from Mr. Stephens to Mr. Messersmith himself, dated March 15, 1939: ⁷⁶

Mr. GEORGE MESSERSMITH,

Assistant Secretary, Department of State,

Washington, D. C.

MY DEAR MR. MESSERSMITH: Your letter of the 11th March, in response to my letter of 2d March to Mr. Sumner Welles regarding the case of my friends, Mr. and Mrs. Hanns Eisler, has reached me.

The hope which you hold out that a prolongation of the Eisler stay in this country may be arranged is most encouraging. I believe the steps which you indicated to Dr. Alvin Johnson over the telephone have been taken by Mr. Eisler, and I trust that the Department will effect an extension of the Eisler visa.

From my old friend David K. Niles and others I have heard some nice things of you and your work in the Department. Your kind interest in the Eislers' case and constructive suggestion but gives additional evidence. I hope on my next trip to Washington I may have the pleasure of meeting you and discussing angles of this case which may still further clear it up.

Cordially yours,

DONALD STEPHENS.

Mr. Messersmith, you haven't told the committee what you suggested to Dr. Johnson that Mr. Eisler should do to prolong his stay in this country.

Mr. MESSERSMITH. It is quite obvious, Mr. Chairman, that Dr. Alvin Johnson called me. What I said I do not remember at this time, but the only thing which I could have said to Mr. Johnson was that in order to secure a prolongation of his stay in the United States Mr. Eisler would have to make an appropriate approach and application to the immigration officials in the district in which he was residing, which I assume was New York City. That was all that I could and would say.

Mr. STRIPLING. What does that have to do with the prolongation of his stay here or extension of it?

⁷⁶ See appendix, p. 192, for exhibit 87.

Mr. MESSERSMITH. Well, I didn't do anything to prolong his stay. All I did was to answer whatever questions Dr. Johnson may have put to me as to what had to be done to endeavor to secure prolongation of stay. I was not interested in the prolongation of the stay of Mr. Eisler. But at that time you must remember this, that if these people had been summarily deported, or had to leave the country—in most cases this was the only place they could go to, and I contend that any decent human being, just as our immigration officials did at that time, would be lenient and understanding—they were lenient in these situations. You can understand that the aliens couldn't be thrust into a place where they would find their death, and they prolonged the stay of a great many aliens. Not the Eislers alone, but thousands of aliens had their stays in this country prolonged, simply because there was no possible way of their returning, leaving the country, without meeting almost a certain death, or concentration camp, or whatever the horrors might have been. That was the atmosphere in which we had to work in those days.

I resent, Mr. Chairman, any imputation—and I want to make this absolutely clear, and I want to put some heat in what I say—for the first time today—I resent any imputation that the action of myself or any of my associates immediately concerned around me in my office—that we did anything that was in any way a controversion of our law, but, on the other hand, we had it absolutely clear that no matter what the circumstances in a case where there would be no visa no facilitation by an officer of the Department of State unless the alien could show that he was legally admissible to this country.

The CHAIRMAN. Mr. Messersmith, I can assure you that the committee and its staff isn't trying to impugn you or your motives. What we are trying to do is to bring out the record in an orderly procedure. We will let the record speak for itself. That is why we have photostatic copies of voluminous correspondence—that came to us right from the State Department.

Mr. MESSERSMITH. Right. I think, Mr. Chairman, then we must be careful not to endeavor to read into any of these actions on the part of responsible officials of our Government implications which do not properly belong there.

The CHAIRMAN. I don't think we are trying to imply anything.

Mr. MESSERSMITH. I don't think you are, Mr. Chairman.

The CHAIRMAN. I think the record clearly speaks for itself. Go ahead.

Mr. STRIPLING. Next, Mr. Chairman, I have a letter of March 10, 1939, written on the letterhead of the New Republic:⁷⁷

DEAR MR. MESSERSMITH: All of us here have been very puzzled by the case of Hanns Eisler, who has been given 6 days to get out of the country. There seems absolutely no reason for picking on him. I suppose the alleged reason is that he used to be connected with the radical movement in Germany before Hitler. But that seems a very specious excuse for deporting a man who has nowhere to go, and who has been doing such valuable work in this country.

I think you know who he is—the famous German composer of songs about the working class. Unlike many other refugees who came here, he has been at work steadily. This year he did the music for the Four Hundred Million, and he has a regular job lecturing at the New School. To the best of my knowledge he has engaged in no political activity of any sort. He is a man of absolutely outstanding talent who has already contributed a great deal

⁷⁷ See appendix, p. 192, for exhibit 88.

to musical ideas in this country—especially to music for the theater—and who would be certain to contribute more in the future.

He has been here on a visitor's permit which has been renewed a couple of times, but with increasing difficulty. Now he has been ordered out of the country. The only explanation that his friends can find is that some enemy in Washington must be making trouble for him. Outside of any question about his personal tribulations, the country can't afford to lose a man of his ability. If you could possibly do anything to stop his deportation, we would all be very grateful.

This, of course, is a private letter. I understand that Eisler doesn't want to have anything published about his case unless he is actually deported—and then, of course, it would be too late.

Sincerely,

MALCOLM COWLEY.

MR. MESSERSMITH. I don't recall that letter, Mr. Chairman. I suppose that it is quite possible that it may have come to my desk. But that letter would not have had much impression on me.

MR. STRIPLING. Here is your reply to Mr. Cowley. March 11.⁷⁸

THE CHAIRMAN. Is this letter from Mr. Messersmith to Mr. Cowley?

MR. STRIPLING. That is right.

MY DEAR MR. COWLEY: I have your letter of March 10 with regard to the situation of Mr. Hanns Eisler, who is in this country on a visa as a temporary visitor. I am very familiar with the facts in this case and unfortunately time does not permit me to write you at any length with regard to this matter, but I think I should remind you that the question is not one within the province of this Department but is within the province of the Department of Labor. In carrying through our existing immigration laws and practice both the officers of the State and Labor must be governed by the provisions of existing law. I think it will be possible for Mr. Eisler to secure an extension if his stay as a temporary visitor. I have been in touch with Dr. Johnson, of the New School of Social Research, and have indicated to him the steps which I think Mr. Eisler can usefully take.

Very sincerely yours,

G. S. MESSERSMITH, *Assistant Secretary.*

MR. MESSERSMITH, you still haven't told us what you suggested.

MR. MESSERSMITH. To Dr. Johnson?

MR. STRIPLING. Yes, sir.

MR. MESSERSMITH. I did say that the only thing that I could have told Dr. Johnson was to point out to him what the procedure was. That is, to make application to the immigration authorities in the district in which he was residing—that is, Eisler—for the extension of his stay. Beyond that I could have made no suggestion to Dr. Johnson.

MR. STRIPLING. You say:

I think it will be possible for Mr. Eisler to secure an extension of his stay as a temporary visitor.

MR. MESSERSMITH. Yes, sir; and I made that statement in the general knowledge that the Department of Labor, or through the Immigration Service—they were extending the stays of such persons—for the reasons which I have stated before.

MR. STRIPLING. Mr. Cowley, in reply to that letter, wrote you on March 13, 1939, on the letterhead of the New Republic:⁷⁹

DEAR MR. MESSERSMITH: I am enclosing a copy of an editorial on Hanns Eisler which we are not printing in this week's issue, at his special request. Eisler is anxious not to have anything published about his case so long as there is

⁷⁸ See appendix, p. 192, for exhibit 89.

⁷⁹ See appendix, p. 192, for exhibit 90.

hope of his being allowed to stay in this country. The fact that his Austrian passport expires in a few weeks is going to be an extra complication. But he is such a valuable man that everything possible ought to be done for him.

He told me when he called that he has written Commissioner Houghteling at the Bureau of Immigration and Naturalization.

I want to thank you for your interest in this case. Eisler deserves any help we can give him.

Sincerely,

MALCOLM COWLEY.

Are you familiar with Mr. Cowley?

Mr. MESSERSMITH. No.

Mr. STRIPLING. Do you know him personally?

Mr. MESSERSMITH. I have no recollection of knowing Mr. Cowley at all. I don't have any recollection of knowing Mr. Cowley at all.

Mr. STRIPLING. You replied as follows on March 14, 1939:⁸⁰

MY DEAR MR. COWLEY: I have your letter of March 13 with which you sent me a copy of an editorial which you state you are not printing in this week's issue of the New Republic at Mr. Eisler's request but which you may be planning to publish later.

I would not, of course, wish to offer any comment on anything which you may wish to print, but would only remark that the reference to the State Department is not quite correct. The State Department has not and is not in a position to find "some technicality to prevent his leaving New York," nor is the State Department in a position to find "another technicality for refusing to extend Eisler's visa." Under our immigration laws our consular officers are authorized in certain cases to grant visas to persons desiring to come to this country for a temporary or permanent stay. Once the prospective immigrant or temporary visitor arrives at an American port, or is in this country, the Department of State and our consular officers have no functions or authority under our immigration laws. It is the Department of Labor which is charged under our laws with the actual admission of aliens on their arrival at American ports or with questions involving their continued stay in this country.

I realize the difficult situation in which Mr. and Mrs. Eisler find themselves. I am hoping that some solution of their difficulties may be found.

Believe me,

Very sincerely yours,

G. S. MESSERSMITH.

Mr. MESSERSMITH. Quite correct, Mr. Chairman. I mean I don't recall the letter; but I am sure I wrote it; there is no question about that. It was the type of administrative and understanding letter that it was necessary to write at the time.

And you will note that I pointed out very specifically that there was nothing that the State Department could do to carry out his implied idea, really, Mr. Chairman, that many good people in this country have; many good people had the notion that the State Department could do this and that, don't you know, which would be not perhaps a violation of law, but which to us would have been, at least, an implied violation of the law, and we could not just do that. So we had, in a nice way, to tell these people that those things could not be done.

Now, with respect to the sentence in there that I hope that the Eislers—at that time I had no reason, we had no reason to know, and the Department had no information that Eisler was a Communist, that he was engaged in improper activities, and therefore there was no reason for me to make any other statement than to express a hope that a person who would get into trouble if he was deported would not be thrown out of the country.

⁸⁰ See appendix, p. 192, for exhibit 91.

The CHAIRMAN. When you say that you had no reason, I don't think that is a correct statement, because you did have reason, Mr. Messersmith. You had a memorandum from an employee, one of your own employees, stating that he was a Communist.

Mr. MESSERSMITH. Well, there was no—

The CHAIRMAN. You say you had no reason other than that one?

Mr. MESSERSMITH. I must revert again, Mr. Chairman, to the statement that the memorandum of Mr. Alexander was not based on adequate information. If he had information—

The CHAIRMAN. It turns out now that it was based on very accurate information.

Mr. MESSERSMITH. I am sure that from the development here now and from the information that has developed since, which I am very happy has developed, why, Mr. Alexander's statement is correct, but I could not have accepted the statement at that time.

The CHAIRMAN. But you say now that the statement is correct?

Mr. MESSERSMITH. What?

The CHAIRMAN. You admit now that his statement is correct.

Mr. MESSERSMITH. I am merely wishing to say by that that after hearing what has developed as a result of the work of this committee in the last few months, information which has been developed in that time, and which was not open to any of us in the State Department, and I am sure not in the Immigration Service at the time, that there is a very different situation.

The CHAIRMAN. You do admit now that he was correct?

Mr. MESSERSMITH. Well, I mean—in what sense? I mean, not correct in making the assumptions which he did at that time, Mr. Chairman, no.

The CHAIRMAN. Except that as a result of your listening to all of the testimony in the past 2 days here you conclude that Mr. Alexander was correct then?

Mr. MESSERSMITH. But Mr. Alexander didn't know those things at that time.

The CHAIRMAN. I don't know whether he knew them or not, but wouldn't you say that, based on what you heard in the last 2 days, that Mr. Alexander was correct?

Mr. MESSERSMITH. You are asking me to make a statement which I don't quite see the purpose of, Mr. Chairman, but what I am prepared to say is that it turns out that with the information that has now developed that there are things which it would have been useful for us to know at the time.

I would like to make this further observation here now—

The CHAIRMAN. Mr. Wood has a question.

Mr. WOOD. Mr. Messersmith, when you read Mr. Alexander's memorandum, in which he made the specific charge that this applicant was a member of the Communist Party—

Mr. MESSERSMITH. He didn't say that.

Mr. WOOD. That he was a Communist, had Communist affiliations, did you discuss it with him and ask him where he had gotten his information?

Mr. MESSERSMITH. I must have.

Mr. WOOD. Do you say now that you did or that you do not recall?

Mr. MESSERSMITH. I must have discussed it—

Mr. WOOD. I have asked you what you did. Not what you must have done. Did you discuss it, or do you remember it?

Mr. MESSERSMITH. With Mr. Alexander—I do not remember discussing it with Mr. Alexander.

Mr. WOOD. Very well.

Mr. MESSERSMITH. Mr. Chairman, constantly reverting to this memorandum of Mr. Alexander, Mr. Alexander received a personal letter from Mr. Hutton, consul in Mexico City—

Mr. STRIPLING. Mr. Chairman, may I interrupt? Here again Mr. Messersmith is proceeding to discredit another document which Mr. Alexander wrote.

I would like to point out that Mr. Alexander is still employed in the State Department; has been constantly promoted; there has been no indication that he was the type of person that Mr. Messersmith is trying to picture him today. Some of these documents are very embarrassing—and there is a very embarrassing document written by Mr. Alexander. I agree with you—

Mr. MESSERSMITH. I would like to point out that I made these remarks about Mr. Alexander only when—that is, personal observations—only after counsel made it necessary for me to do so because of the insistence of the value to be placed on this memorandum.

I must insist on making another statement, Mr. Chairman—

The CHAIRMAN. Mr. Messersmith, I gave you opportunity before to read a memorandum that we were going to bring out at a later time.

Mr. MESSERSMITH. Yes.

The CHAIRMAN. I shall have to decline your request now.

Mr. MESSERSMITH. Well, I am sorry. I hope you will give me permission later.

The CHAIRMAN. When the memorandum comes up we will be pleased to hear you.

Mr. MESSERSMITH. Unless I have permission to make a statement here I shall consider it my duty to give my statement in another form.

The CHAIRMAN. That is perfectly all right. When we refer to the memorandum you may make your statement.

Go ahead, Mr. Stripling.

Mr. MESSERSMITH. I have to do this, Mr. Chairman, because there are incorrect implications that counsel is constantly making.

The CHAIRMAN. Never mind.

Mr. STRIPLING. Mr. Messersmith, I am not making implications against you, but I don't think it is fair for you to make implications as to Mr. Alexander.

The CHAIRMAN. Let's stop the argument and proceed with the questions.

Mr. STRIPLING. Next we have a letter from Mr. Cowley in reply to your letter, dated March 17, 1939.⁸¹

DEAR MR. MESSERSMITH: Thanks very much for your letter. If the editorial about Hanns Eisler is published we shall be careful not to put all of the onus on the State Department. On the other hand, when the Labor Department was asked to do something last year, it threw up its hands and said that the State Department had taken over the case.

The last development has been another letter from Ellis Island telling the Eislers to get out immediately. Of course, they have nowhere to go and no money to go there.

Sincerely,

MALCOLM COWLEY.

⁸¹ See appendix, p. 192, for exhibit 92.

Mr. STRIPLING. Next, Mr. Chairman, is a telegram from Freda Kirchwey, The Nation, to Mr. Messersmith, dated March 10, 1939, State Department, Washington, D. C.:⁸²

Would deeply appreciate help in obtaining extension of visitor's visa for Hanns Eisler, German refugee, musician, now lecturing New School of Social Research in line with President Roosevelt's assurance of leniency for refugees from Fascist countries. His deportation to Germany means certain death, and possibility of finding refuge elsewhere highly problematical.

FREDA KIRCHWEY.

Mr. STRIPLING. On March 11, you replied, that is, on March 11, 1939, you replied to Miss Kirchwey—⁸³

The CHAIRMAN. Replied to whom?

Mr. STRIPLING. He replied to Miss Kirchwey.

The CHAIRMAN. Freda Kirchwey?

Mr. STRIPLING. That is right.

Mr. McDOWELL. She is the publisher of The Nation, I believe.

Mr. STRIPLING. She was the editor, I believe, of The Nation at that time.

Mr. MESSERSMITH. No. She was a writer on The Nation at the time. I don't think it will be found that she was the editor of The Nation at the time. She was on the editorial staff, I think.

Mr. STRIPLING. Well.

MY DEAR MISS KIRCHWEY: I have your telegram with regard to the situation of Mr. Hanns Eisler, who is now lecturing in the New School of Social Research. I may say to you that I am very familiar with this case and have followed it personally for some time. It is a very complicated situation and, of course, it has to be handled in accord with our existing immigration laws and practice. There is no course other than that open to the officers of our Government. I think, however, that, as he is here on a temporary visitor's visa, it may be possible to secure a prolongation thereof. I have been in touch with Dr. Johnson of the New School of Social Research and have indicated to him the steps which should be taken by Mr. Eisler. The matter of the extension of Mr. Eisler's stay in this country is, as you know, one not in the province of this Department and is within the province of the Department of Labor. I shall be very glad, however, to bring the matter to the personal attention of Mr. Houghteling, the Commissioner of Immigration and Naturalization, who I am sure will be very glad to give it his personal consideration.

Very sincerely yours,

G. S. MESSERSMITH, *Assistant Secretary*.

In reply, Miss Kirchwey wrote to you on March 15, 1939:⁸⁴

DEAR MR. MESSERSMITH: Please accept my thanks for your prompt and kind answer to my wire about Mr. Eisler. It is good of you to give his case personal attention and I can assure that he as well as his friends are most grateful to you.

Sincerely yours,

FREDA KIRCHWEY.

Next I would like to introduce a letter written on the letterhead of Fortune Magazine, Time and Life Building, Rockefeller Center, New York. March 16, 1939. Editorial Offices. This letter is from Russell Davenport.⁸⁵

DEAR MR. MESSERSMITH: It has been brought to our attention that a musician by the name of Hanns Eisler, at present employed in this city, is about to be deported, through his deportation to his native Germany will almost certainly result in his death. We do not know on what grounds he is being deported, but we

⁸² See appendix, p. 192, for exhibit 93.

⁸³ See appendix, p. 192, for exhibit 94.

⁸⁴ See appendix, p. 192, for exhibit 95.

⁸⁵ See appendix, p. 192, for exhibit 96.

should like to ask that every consideration be given to his case in order to avoid a terrible tragedy. From past experience with your kindness and patience, we feel sure that such consideration will be given.

Yours gratefully,

RUSSELL DAVENPORT.

There is a handwritten notation at the foot of the letter which I will show you, Mr. Messersmith. I don't know whether you have any objection to it being read or not. I don't think you do [Exhibits document].

MR. MESSERSMITH. My eyes are very poor and I can't read that. I am sure I have no objection to your reading it.

MR. STRIPLING. It says:

And with my particular appreciation—you have done so much for my friends in trouble! Most cordially—

Do you know——

MR. MESSERSMITH. That is Marie Davenport, his wife.

MR. STRIPLING. You are acquainted with Mr. Davenport and his wife?

MR. MESSERSMITH. Well, I think I knew Mrs. Davenport, Mr. Chairman, better than I did Mr. Davenport. Mr. Davenport at that time was the editor of Fortune, and the only connection that I had ever had with him was that he was planning to write an article on the State Department, about functions and that sort of thing, for Fortune, which was after it was published. But Mrs. Davenport I had met from time to time in New York socially.

What reference Mrs. Davenport there makes is only that I was one of those persons at the time who, having lived in Germany for 4 years and having seen when the Nazis came in first the members of the Communist Party in Germany and all labor leaders, and anyone connected with labor, with any labor organization, Communist or otherwise, put into concentration camps and literally hundreds of them disappear during the first days of February 1933, and then seeing men like Dr.——

The CHAIRMAN. I think you have answered the question. I think you completed your answer to the question.

MR. MESSERSMITH. What I am getting at is this, Mr. Chairman: I did what I could within the law to help persons who were in difficulty when I was in Europe and when I was over here, and I am very glad that I did it.

MR. WOOD. You mean irrespective of their political affiliations?

MR. MESSERSMITH. I think that question is a very improper one. It is an improper remark. It is an improper remark for you—and I say this with all respect—to make to me, who has had a long, and I believe honorable, career in the service of our Government, and who would not have been entrusted with the post which he was if I had not been a person who always loyally did my duty.

MR. WOOD. I was hoping you would qualify that statement.

MR. MESSERSMITH. I qualify what statement?

MR. WOOD. The statement you made that you helped people who were in trouble.

MR. MESSERSMITH. Well, I certainly did. All my correspondence shows that I made it always very clear that whatever was done could only be done under the laws of our country. I wish to make it clear that so far as any person——

Mr. Wood. I was hoping you would qualify it to that extent. That is the reason I asked you, sir.

Mr. MESSERSMITH. Thank you, sir.

The CHAIRMAN. Go ahead, Mr. Stripling.

Mr. STRIPLING. Your reply reads as follows, dated March 18, 1939: ⁸⁶

DEAR MR. DAVENPORT: I have your letter of March 16 with regard to Mr. Hanns Eisler. I am very familiar with this case and have gone into all aspects of it very carefully. It is one which is completely out of our hands as Mr. Eisler is in this country on a visa as a temporary visitor and is endeavoring to secure an extension of his stay. This is a matter wholly within the province of the Department of Labor and I have been in touch with various officials in Labor about the case, including the office of the Secretary. There is nothing really which I can do in the matter or that this Department can do.

Believe me,

Very sincerely yours,

G. S. MESSERSMITH.

Next, Mr. Chairman, I should like to introduce a letter addressed to the Honorable Cordell Hull, Secretary of State, from Raymond Gram Swing, 36 East Fortieth Street, New York City, dated March 28, 1939. ⁸⁷

MY DEAR MR. SECRETARY: The people I know in New York are greatly upset and offended by the failure of the eminent composer Mr. Hanns Eisler and his wife to obtain an extension of their visitor's visas. I have been through all the records of their case that Mr. Eisler has been able to gather together. No doubt the Government is within its technical rights in refusing the extension.

Mr. Eisler is not only an internationally known composer, but has an offer of a 5-year contract to be professor of the music department at the New School of Social Research. He is now under command to leave the country. As he is an Austrian, this may mean a long sentence to a German concentration camp. Many well-known Americans, including Mrs. Roosevelt, are interested in this case. I would not presume to call it to your attention if I did not believe Mr. Eisler was worthy of an asylum in this free country. I believe there is some prejudice against him in your Department because he has composed music for workers' choruses.

Respectfully yours,

RAYMOND GRAM SWING.

Mr. Swing's letter was answered by A. M. Warren, Chief of the Visa Division, as follows, on April 5, 1939: ⁸⁸

MY DEAR MR. SWING: I refer to your letter of March 28, 1939, regarding the desire of Mr. Hanns Eisler and his wife to obtain an extension of temporary stay in the United States.

There is no way in which this Department may be of assistance to Mr. and Mrs. Eisler since matters relating to the granting of extensions of stay in the United States come solely within the jurisdiction of the Department of Labor. Mr. and Mrs. Eisler should be advised to take up their cases with the immigration authorities of the Department of Labor.

Sincerely yours,

A. M. WARREN,

Chief, Visa Division,

(For the Secretary of State).

I have here, Mr. Chairman, several letters from George Cukor, addressed, one to the President, and the other to the Secretary of State, Cordell Hull, in behalf of Mr. and Mrs. Eisler. ⁸⁹ Unless the committee desires, I see no point in reading them.

The CHAIRMAN. Without objection, it is so ordered.

Mr. STRIPLING. They were also answered by Mr. Warren. ⁹⁰

⁸⁶ See appendix, p. 192, for exhibit 97.

⁸⁷ See appendix, p. 192, for exhibit 98.

⁸⁸ See appendix, p. 192, for exhibit 99.

⁸⁹ See appendix, p. 192, for exhibits 100 and 101.

⁹⁰ See appendix, p. 192, for exhibits 102 and 103.

(The letters are as follows:)

MARCH 25, 1939.

The PRESIDENT,
White House, Washington, D. C.

TO THE PRESIDENT: May I respectfully urge you to grant an extension of the passport issued to Johannes Eisler and his wife, Louisa, who came to this country as visitors a year ago. The passport which I understand has already been renewed once, expires April 25.

Mr. Eisler, an Austrian citizen whose anti-Fascist beliefs have exposed him to danger at home, is a noted composer not only in his native land, but in England, France, and America as well. If he is compelled to return to Austria at this time, he faces imprisonment, or worse.

He is at present engaged in writing the score for a film about the oil industry which is being produced for the New York World's Fair by Mr. Joseph Losey, and is also teaching music at the New School for Social Research.

It has been amply proved that Mr. Eisler will not become a burden to the community, and that as an artist he has considerable to contribute to this country. Compelling him on technical grounds to return seems to me to be needlessly cruel, and again, I urge that every effort be made to allow him to remain here.

Yours very truly,

GEORGE CUKOR.

MARCH 25, 1939.

Honorable CORDELL HULL,
Secretary of State, Washington, D. C.

DEAR SIR: May I respectfully urge you to grant an extension of the passport issued to Johannes Eisler and his wife, Louisa, who came to this country as visitors a year ago. The passport, which I understand has already been renewed once, expires April 15.

Mr. Eisler, an Austrian citizen whose anti-Fascist beliefs have exposed him to danger at home, is a noted composer not only in his native land, but in England, France, and America as well. If he is compelled to return to Austria at this time, he faces imprisonment, or worse.

He is at present engaged in writing the score for a film about the oil industry which is being produced for the New York World's Fair by Mr. Joseph Losey, and is also teaching music at the New School for Social Research.

It has been amply proved that Mr. Eisler will not become a burden to the community, and that as an artist he has considerable to contribute to this country. Compelling him on technical grounds to return seems to me to be needlessly cruel, and again, I urge that every effort be made to allow him to remain here.

Yours very truly,

GEORGE CUKOR.

APRIL 5, 1939.

Mr. GEORGE CUKOR,
West Hollywood, Calif.

MY DEAR Mr. CUKOR: I refer to your letter of March 25, 1939, concerning the desire of Mr. Hanns (Johannes) Eisler and his wife to obtain an extension of temporary stay in the United States.

There is no way in which this Department may be of assistance to Mr. and Mrs. Eisler, since matters relating to the granting of extensions of stay in the United States come solely within the jurisdiction of the Department of Labor. Mr. and Mrs. Eisler should be advised to take up their cases with the immigration authorities of the Department of Labor.

Sincerely yours,

A. M. WARREN, *Chief, Visa Division.*

APRIL 7, 1939.

MY DEAR MR. CUKOR: I refer to your letter of March 25, 1939, to the President concerning the cases of Mr. Johannes (Hanns) Eisler and his wife, Louisa.

You have no doubt received the Department's letter of April 5, 1939, in reply to your letter to the Secretary regarding these cases.

Sincerely yours,

A. M. WARREN, *Chief, Visa Division.*

MR. STRIPLING. Mr. Clifford Odets wrote a letter to the American consul in behalf of Mr. Eisler, which reads as follows: ⁹¹

DEAR SIR: I knew Hanns Eisler, the eminent German composer, by reputation for many years before I had the pleasure of meeting him. Since then a personal friendship of several years duration has served to strengthen my first impression of Mr. Eisler. He is the owner of a first-rate musical gift; he is splendidly equipped for the twin role of teacher and lecturer on music and allied subjects; and his character, in my opinion, is above reproach or question.

Mr. Eisler is a man who can and is making a valuable and lasting contribution to the cultural life in America. For this reason I am happy to write this letter in his behalf.

Sincerely yours,

CLIFFORD ODETS.

Mr. Odets has been subpoenaed in connection with the Hollywood hearing, Mr. Chairman.

I also have a letter by William Dieterle in behalf of Mr. Eisler.⁹²

THE CHAIRMAN. Who was that last one?

MR. STRIPLING. William Dieterle, to the American consul in Habana

There are a number of letters here, Mr. Chairman, which are written in behalf of Mr. Eisler. If you would like the names put in the record, all right. And if you would like them read, I will be glad to do so. It has nothing to do with Mr. Messersmith.

THE CHAIRMAN. Put them in the record.⁹³

MR. STRIPLING. All right.

(The letters referred to are as follows:)

HOLLYWOOD, CALIF., *January 28, 1940.*

TO THE AMERICAN CONSUL:

SIR: I take great pleasure in writing this letter in behalf of Mr. Hanns Eisler. Mr. Eisler is one of the foremost living European composers. He has a great reputation as a teacher of all phases of music. I know him as a man whose prime interest is his art and the ideals of his art. Our country will gain in him a citizen it can be proud of.

I hope that you will speedily grant his request for a visa.

Very sincerely yours,

WILLIAM DIETERLE.

JUILLIARD SCHOOL OF MUSIC,

OFFICE OF THE DEAN OF THE GRADUATE SCHOOL,

New York City, January 30, 1940.

THE AMERICAN CONSUL GENERAL,

Habana, Cuba.

MY DEAR CONSUL: Mr. Hanns Eisler has been known to me for the past 2 years or 3 years. He has been teaching in the New School of Social Research in New York City.

Musicians whose judgment I trust speak highly of his work, and I know that he is considered seriously and favorably in this country for his talents and knowledge.

Very sincerely yours,

OSCAR WAGNER,

Dean, Juilliard Graduate School.

⁹¹ See appendix, p. 192, for exhibit 104.

⁹² See appendix, p. 192, for exhibit 105.

⁹³ See appendix, p. 192, for exhibit 106; p. 193 for exhibit 107-111.

DEPARTMENT OF SURVEYS,
 RUSSELL SAGE FOUNDATION,
 New York City, February 2, 1940.

SHELBY M. HARRISON, *Director*,
 COERT DE BOIS, Esq.,
American Consul General,
Habana, Cuba.

DEAR SIR: I am glad to join others in giving testimony as to the reputation and character of Mr. Hanns Eisler, who, I understand, is taking steps to enter the United States by way of Cuba as a nonquota immigrant.

In the musical world, as you perhaps know, Mr. Eisler ranks among the world's highest in his particular field of motion-picture music. In teaching this subject in our country today I know of no one who equals him. So I feel that America would be fortunate to have him permanently here to help develop this important new art and thus help to enrich our culture.

I have found him a man of charm and sensitive feeling. His honesty and integrity are unquestionable. He is an idealist, with a warm sympathy for those who suffer or are oppressed. He is enthusiastic about America and to my mind would make a splendid citizen.

I would be pleased to give you additional information if it would be useful in this case.

Sincerely,

ALLEN EATON.

KOLISCH QUARTETT,
 NATIONAL BROADCASTING CORP., ARTISTS SERVICE,
New York City.

AMERICAN CONSUL: I take great pleasure in recommending Mr. Hanns Eisler to you.

I have known him in Europe as one of the foremost composers and have performed his works on several important occasions.

His excellent training and exceptionally high intellectual qualities make him a brilliant teacher, and his colorful personality will certainly be a great gain for the musical life of this country.

Very sincerely yours,

RUDOLPH KOLISCH.

GERMAN-AMERICAN WRITERS ASSOCIATION,
New York, N. Y., January 29, 1940.

To the AMERICAN CONSUL:

DEAR SIR: We take the liberty to recommend you our member, Mr. Hanns Eisler. Mr. Eisler belonged to the most important young composers in pre-Hitler Germany. According to such fine experts as Schoenberg and Stravinsky, he is one of the most serious and gifted personalities in modern music, whose works will undoubtedly outlive our time.

Mr. Eisler has also shown his great quality as a pedagogue in Paris, Vienna, and Berlin. His success achieved in this field at the New School for Social Research in New York during the last few years has become public property.

Mr. Eisler is one of the rare personalities who live only for their art and sacrifice everything in order to devote all his time and efforts to serious music. We cannot be but certain that it will be to the advantage of the musical life in the United States, if Mr. Eisler should be allowed to enter this country without having to leave after a certain time, as he now is requested to do.

As an organization of writers, devoted only to the art of writing and without any other interests than our professional ones, we hope that a solution can be found which will allow Mr. Eisler to live entirely for his music.

Sincerely yours,

CURT RIESS, *General Secretary.*

JANUARY 23, 1940.

AMERICAN CONSUL,

Habana, Cuba.

DEAR SIR: This letter concerns Hanns Eisler who is a personal friend of mine of long standing. Mr. Eisler composed the score for the two-reel animated motion picture which I produced for the petroleum industry exhibit at the World's Fair. As you perhaps know, the score has attracted a great deal of attention. It has been highly praised by New York reviewers and is also praised by Oscar Levant in his current book.

However, Mr. Eisler's reputation as a musician is by no means based solely on this score. Mr. Eisler is internationally recognized as a top-ranking composer. He is considered the most brilliant pupil and disciple of Schoenberg; Mr. Eisler is also known as a conductor of considerable accomplishment; Eisler's work on film scores put him among the two or three foremost musicians in this field.

With Mr. Eisler's teaching, I am less familiar. However, I do know his reputation as perhaps one of the greatest teachers of harmony who has ever come to this country. As teacher, as composer, as film technician, and as person, Mr. Eisler will be an invaluable addition to the culture of this country.

With a multitude of other friends, I sincerely hope that everything possible will be done to facilitate Mr. Eisler's establishment in the United States on a permanent basis.

Very sincerely yours,

JOSEPH LOSEY.

THE GROUP THEATER,
New York City, January 25, 1940.

To Whom It May Concern:

I wish to say in behalf of Hanns Eisler that I have known him personally for almost 4 years. Before that I had heard of his great reputation as an important composer and worker in the theater in Germany. In fact, I knew of his music before I met him, and it was this knowledge which made me so anxious to know him when he arrived in this country.

Hanns Eisler is unquestionably one of the outstanding figures of world music, and his work will undoubtedly give pleasure and inspiration to many through the medium of the American stage and movie.

Very cordially yours,

HAROLD CLURMAN, *Director.*

MR. STRIPLING: Next I would like to refer to a letter of July 18, 1939, written on the letterhead of the department of surveys, Russell Sage Foundation—and I would like to ask Mr. Messersmith, Do you know Donald Stephens?

MR. MESSERSMITH. To my knowledge, I have never met Donald Stephens.

MR. STRIPLING. You don't know whether he is connected with the Russell Sage Foundation?

MR. MESSERSMITH. I do not.

MR. STRIPLING. This letter is addressed to Mr. Warren, Chief of the Visa Division, State Department: ⁹⁴

DEAR MR. WARREN: Pursuant to our telephone conversation Saturday, I am sending the data promised concerning Mr. Hanns Eisler.

Mr. and Mrs. Eisler left New York City April 9 and passed into Mexico just before the expiration of the last extension on his visa, April 15. He soon obtained a position in the State Conservatory of Music in Mexico City, where he has been teaching ever since. I have heard from him a number of times, and this morning received an air-mail letter from him, postmarked Mexico City, dated July 13, in answer to an air-mail letter sent him from here July 6. So there can be no doubt that the information you received that he had not gone to Mexico was erroneous.

⁹⁴ See appendix, p. 193, for exhibit 112.

I would be greatly obliged to you if you will let me know at your earliest convenience what the prospects are of Mr. Eisler returning to New York not later than early September (or, if possible, earlier) when the work of synchronizing the music with the film *America's Making* begins.

And will you kindly let me know if there is anything which I can do, or have done, to help in this matter.

I believe I told you in our conversation that Mr. Eisler began his work on this music before he left for Mexico, and that is how I have kept in touch with him. The picture is a very important documentary film, which is sponsored by Dr. John H. Finley, of the New York Times, Mr. Frederick A. Delano, Dr. Stephen P. Duggan, Mrs. Franklin D. Roosevelt, and Mr. Paul U. Kellogg, and others.

You may have had an opportunity to know of Mr. Eisler's extraordinary ability in the field of music for motion pictures. He is quite the ablest man we could find for this job. I have several expert opinions which place him at the top in this work.

I am enclosing a rough outline of the educational picture which Mr. Eisler is working on, which you may keep if you wish.

Because of the seriousness of this matter to our project, I will appreciate anything you may be able to do to facilitate Mr. Hanns Eisler's return to the United States. As I understand the matter, he will have completed by August the 2 years teaching required for his entrance upon a professional nonquota basis—teaching for Dr. Alvin Johnson at the New School for Social Research during the academic years of 1937-38 and 1938-39, with the exception of the latter part of the second year, which he will have completed at the State Conservatory of Music in Mexico next month.

If there is any additional information which may be helpful to you, kindly let me know.

Thanking you for your courteous offer to follow this matter through, I am,

Sincerely,

ALLEN EATON.

Mr. McDowell. What year was that?

Mr. STRIPLING. July 18, 1939.

Now, I have a brief description here of a motion picture: *America's Making*.

The CHAIRMAN. What is the name of the picture?

Mr. STRIPLING. *America's Making—M-a-k-i-n-g*. It says, "The story of immigrant contributions to the life of our Nation."⁹⁵ If you like, I will put it in the record, or will read it, either one.

The CHAIRMAN. Without objection, it is so ordered. Put it in the record. But will you explain to the committee a little bit about this picture and who was making the picture?

Mr. STRIPLING. Well, the Russell Sage Foundation, Mr. Chairman, was apparently making the picture, in cooperation with other people. Mr. Eisler was writing the music for the picture.

I might read this:

I believe I told you in our conversation that Mr. Eisler began his work on this music before he went to Mexico, and that is how I have kept in touch with him. The picture is a very important documentary film which is sponsored by—

the persons I named.

(The description of *America's Making* is as follows:)

AMERICA'S MAKING

THE STORY OF IMMIGRANT CONTRIBUTIONS TO THE LIFE OF OUR NATION

In these days when the fires of liberty and freedom burn low in other lands; when dictators deny the achievements of democracy and despise its principles;

⁹⁵ See appendix, p. 193, for exhibit 113.

when—in the so-called interest of the state—Christian institutions are suppressed and their temples destroyed; when—in the name of racial purity—men, women, and children of ancient faiths are robbed and driven from their native land; America must not allow this challenge to democracy, this threat to civilization, to go unanswered.

America's answer will not be in blind abuse of peoples who at heart we know are for the fundamental rights of men, nor by force of arms, nor by a holier-than-thou attitude toward other nations; it will be by keeping the lamp of democracy shining bright at home that its light may reach the oppressed of other lands, so that we and they may strive on, "that government of the people, by the people, for the people shall not perish from the earth."

America's answer to these attacks on democracy, these claims to racial superiority, these threats to Christian civilization, is in every chapter of our Nation's life: but America's greatest answer is in the making of America, in the epic story of the millions of immigrants who left their homelands in the Old World and crossed the ocean to the New. Here they have come from every country, of all beliefs—Protestant, Catholic, Jew, Quaker, and others. To them and to their children America has given many opportunities; and they in turn have built new homes, rekindled old fires, and become citizens, have helped to make our country a stronger, a freer, and a better nation. The text of this story of America's Making is the words of an immigrant from Canada, Franklin K. Lane, Secretary of the Interior under President Wilson. We see Mr. Lane in his study toward the end of his life of public service as he speaks this message to his countrymen:

America is a land of but one people
Gathered from many countries.
Some came for love of money
And some for love of freedom.
Whatever the lure that brought us,
Each has his gift.
Irish lad and Scot,
Englishman and Dutch,
Italian, Greek, and French,
Spaniard, Slav, Teuton, Norse, Negro—
All have come bearing gifts,
And have laid them on the altar of America.

The theme brings out the fact that we have always been an immigrant nation. It quotes Washington, Whitman, Theodore Roosevelt, Wilson, Coolidge, and Pershing in praise of the part our foreign-born citizens have played in the life of America. The gift of 20 different groups, both mass and individual contributions, are shown.

As the picture develops we are reminded of how many of our customs and institutions originated in other homelands, and how much of our wealth and prestige can be traced in part to the labor, the skill, the ingenuity, the artistry, and the loyalty of our "citizens by choice." It is a pageant of work, education, and democracy such as no other nation has ever seen, so great in volume and variety that only through a moving picture could it be presented in such a short space of time. Shown also are the contributions of nearly a hundred individual citizens, most of whose contributions we have often acknowledged but never before have we been so definitely reminded that all were born in other countries. It is as though America were asking for an account of those who had entered her gates, and out of the multitudes emerge leaders in every field.

An easy transition is made from our quite recent citizens from the Baltic Republics to the Negro, who, though not an immigrant in the sense of the others, yet like all of them is making his contribution to the life and culture of America, and, in point of population, outnumbers any other group.

The Negro episode is a brief but stirring presentation of the progress of the Negro people, of their labor, their loyalty, their courtesy, and their achievements in the life, work, and culture of our Nation, including 10 outstanding examples of individual leadership in several fields.

And after the contributions of these many groups have been shown, the picture closes with an expression of unity appropriate to its purpose, the spirit of which may be stated roughly as follows:

America is a land of but one people
 Gathered from many countries.
 Here we have all joined together—
 Native and foreign born
 Protestant, Catholic, Jew, Quaker, all faiths,
 Dedicating ourselves to a single loyalty
 That the principles of democracy—though far from perfect—
 But the best that man has yet devised,
 And the priceless heritage from our fathers
 Shall be saved and improved and shaped
 By us and by our children
 To meet the new and better day.

(NOTE.—No attempt has been made in the above sketch to show how the picture will be arranged, of the ways in which music, titles, and commentary will be used to develop this remarkable story of American democracy. It should be noted, however, that it is a picture without professional actors, which gives it a convincing authenticity, and a certain homely charm not to be found elsewhere. No picture has been made which holds greater opportunity for a fine yet popular musical score, bringing in the national airs and folk music of many homelands.)

The CHAIRMAN. As I understand it, this request was being made in order to get Mr. Eisler into this country from Mexico?

Mr. STRIPLING. That is right. The order for the deportation of Mr. Eisler had been issued by the Immigration and Naturalization Service. It was never served. He went into Mexico.

The CHAIRMAN. But he went into Mexico and then in order to help—

Mr. STRIPLING. The order was in effect several months before he went into Mexico.

Now, Mr. Chairman, I would like to point out that on July 5, 1938, Hanns Eisler appointed Carol King to represent him. The letter is signed by Eisler.⁹⁶ It states:

DEPARTMENT OF STATE.

GENTLEMEN: This will serve to inform you that I and my wife have retained Carol King to represent us in connection with our application for immigration visas to the United States which we intend to apply for at the American Consulate at Habana, Cuba.

Yours respectfully,

HANNS EISLER.

Now, these applications, Mr. Chairman, were at the request of Carol King. The entire file was transferred from Habana, Cuba, to Mexico City. And as the witness has mentioned previously, at the time he addressed this handwritten memorandum to Mr. Warren, he says: "I wonder what the transfer of the case to Mexico City means," signed "G. M."⁹⁷

You wrote that, Mr. Messersmith?

Mr. MESSERSMITH. That is right. That is in my handwriting.

Mr. STRIPLING. Yes. Now, in reply to that, we have a memorandum written on the letterhead of the Department of State, Visa Division, dated April 22, 1939, signed by A. M. Warren.⁹⁸ As Mr. Messer-

⁹⁶ See appendix, p. 193, for exhibit 114.

⁹⁷ See appendix, p. 193, for exhibit 115.

⁹⁸ See appendix, p. 193, for exhibit 116.

smith has pointed out, it contains the initials "VD-RCA." It reads as follows:

DEAR MR. MESSERSMITH: While the Visa Division has received no information which would indicate the reason of the interested persons for having the file in the case of Hanns Eisler transferred from Habana to Mexico City, it is believed that this has been done for one or more of the following reasons—

He has read the eight reasons. If you would like for me to read them again, I will be glad to.

The CHAIRMAN. No; never mind reading them.

Mr. STRIPLING. Now, Mr. Chairman, so far as the records which we subpoenaed are concerned, there is nothing else in the file which indicates that Mr. Messersmith had any connection with the case after it was transferred to Mexico City.

The CHAIRMAN. Mr. Messersmith, you made a request a few minutes ago to make a short statement. Do you care to make a statement at this time?

Mr. MESSERSMITH. It was only with reference to this memorandum from Mr. Warren which we read—I mean, written by Mr. Alexander.

The first statement is:

In view of the communistic background of Eisler the interested persons may feel that he would be more likely to be comfortable in Mexico than in Cuba while awaiting the issuance of an immigration visa.

The question has been raised why I did not have this confidence in Mr. Alexander's memoranda. This particular statement shows that he had no comprehension of the situation in Mexico, because he takes it for granted that because Mr. Eisler may be or was a Communist he would be more comfortable in Mexico, leaving the implication that Mexico is a communistic country. Well, Mexico is a very advanced country and has been since the revolutions early in this century. It is a country which is very liberal in its social, labor, and general legislation, but it is far from a Communist country. Mexico is, fortunately, one of the few countries in which communism and the Communist Party have no real strength at all. So that Mr. Alexander was completely mistaken in his conception of what the situation in Mexico was in that respect.

The CHAIRMAN. Do you think that is what he meant by that statement?

Mr. MESSERSMITH. Yes.

The CHAIRMAN. That Mexico was a Communist country?

Mr. MESSERSMITH. Yes; that is what he meant. He had the impression that Mr. Eisler would be more comfortable there because it was more of a Communist country.

Two—

Mr. STRIPLING. If I may comment on the first point, Mr. Chairman, I think it should be noted that Mr. Eisler did fare very well in Mexico City. He was appointed professor at the National Conservatory of Music. So he wasn't wrong in that assumption.

Mr. MESSERSMITH. No, no, no.

Mr. STRIPLING. Isn't it true, Mr. Messersmith, that a number of Communists have taken haven in Mexico City?

Mr. MESSERSMITH. What?

Mr. STRIPLING. That a number of Communists have taken haven in Mexico City?

Mr. MESSERSMITH. Yes; Mexico has a very liberal attitude. I mean, in the Spanish revolution they admitted, following our tradition and going further, all kinds of refugees from Spain: The Communists, the Monarchists—from the extreme poles, without any distinction.

The second point is:

The interested persons may have found that the entry of Eisler into Mexico can be accomplished with greater facility than entry into Cuba.

I don't see how there could be any implication of that kind, because the Mexican authorities have been very, very strict in their admission of aliens.

3. * * * opportunity for earning a livelihood is brighter.

Knowing Cuba and knowing Mexico, why, it is much more difficult for an alien to secure employment in Mexico than it is in Cuba.

4. The interested persons may believe that they can bring greater pressure to bear on the consul general at Mexico City—possibly through Ambassador Daniels—than they have been able to bring on the consul general at Habana through the Department.

I think that is an unwarranted observation. Mr. Daniels is a very distinguished man, who served our country for 9 years as Ambassador to Mexico.

The CHAIRMAN. But isn't it true that Hanns Eisler couldn't get a visa from the consul in Cuba, but did get a visa in Mexico?

Mr. MESSERSMITH. But not a nonquota immigration visa. He only got a visa from the consul in Mexico, Mr. Chairman, permitting him to make a 2-months' stay in this country; that is, a visitor visa, on the basis of representations which he made, that he had urgent business to attend to in this country.

The CHAIRMAN. Yes; but he got a visa.

Mr. MESSERSMITH. Yes.

The CHAIRMAN. In Mexico and he could not get one in Cuba.

Mr. MESSERSMITH. No; he didn't pursue the matter in Cuba. He was never examined by the consulate general in Habana, to my knowledge. He didn't pursue the matter of the visa in Habana. And the records in Mexico City show that he was refused a visa as a nonquota immigrant on the basis of 2 years' service as a professor, as he had not adequately established his status which would have given him that exemption under the law.

The CHAIRMAN. All right. When he came in, he came in on what type of a visa?

Mr. MESSERSMITH. At that time from Mexico? At that time he came in from Mexico on a so-called visitor's visa.

The CHAIRMAN. And how long did he stay?

Mr. MESSERSMITH. That I am unable to say—how long he stayed—

The CHAIRMAN. And where did he go after he left here?

Mr. MESSERSMITH. What is that?

The CHAIRMAN. Then what happened to him?

Mr. MESSERSMITH. I have no idea. I think the record shows it. The important thing in this connection is—

The CHAIRMAN. But your connection with the case, though, ends with his visit to Mexico?

Mr. MESSERSMITH. Yes; but this memorandum was still a memorandum to me, you see, that I have under reference here. And the

important thing about it is: Here is all this speculation by Mr. Alexander with regard to the reason's don't you know, which I think were mostly based on inadequate information, don't you know.

The CHAIRMAN. Yes; then, when you came to the conclusion that that was based on inadequate information, what did you do about Mr. Alexander?

Mr. MESSERSMITH. I didn't do anything.

The CHAIRMAN. Didn't do anything?

Mr. MESSERSMITH. No, sir. The important thing in the record, which I imagine will be brought out later by Mr. Stripling, or may not be, is that on July 21, 1939, Mr. Warren, who was the Chief of the Visa Division, put a memorandum into the file of the Visa Division to the effect that the reason that Eisler delayed applying in Mexico is that he wished to complete 2 years of teaching, which would have been made up in August of this year. That is really why he went there, because he could fulfill the statutory requirement there.

The CHAIRMAN. Why did you ask Mr. Warren to give you the reasons for Mr. Eisler's transfer from Cuba to Mexico?

Mr. MESSERSMITH. That would be the natural reaction, Mr. Chairman, of an administrative officer to whose attention this case had been constantly brought, as one in which many responsible people in this country were interested. They were saying that Mr. Eisler was a good man, don't you know, and all that. I was wondering whether there might be not something wrong about this, or why should he be changing from Habana to Mexico, don't you know.

The CHAIRMAN. Do you recall any other case similar to this that prompted you to send a memorandum to Mr. Warren because of transfer from Cuba to Mexico?

Mr. MESSERSMITH. Well, not of that kind; no. But the transfer in many cases—and I say that advisedly, many cases, Mr. Chairman—was where refugees asked for the transfer of their papers from one consulate to another because it was easier for them to get into the country, into the other country. For instance, many of these people who had been admitted to this country for temporary stays asked that their papers be sent to Canada. In the beginning Canada was very liberal in permitting people to go up there and live there a while, you see, and then make their application for an immigration visa, which was necessary under our law. Then Canada became very strict about it and wouldn't let these people in there. So they would have their papers transferred from Toronto or Montreal or wherever they had had them sent, to some other consulate.

The CHAIRMAN. Now, Mr. Messersmith, what was the date of the first memorandum on Hanns Eisler written by Mr. Alexander to you?

Mr. MESSERSMITH. I think it was October 24.

Mr. STRIPLING. 24.

Mr. MESSERSMITH. Mr. Chairman—

The CHAIRMAN. October 24.

Mr. STRIPLING. 1938.

Mr. MESSERSMITH. 1938; yes.

The CHAIRMAN. 1938.

Mr. MESSERSMITH. Yes.

The CHAIRMAN. And what was the date of this memorandum?

Mr. MESSERSMITH. This was written on April 22, 1939.

The CHAIRMAN. So that would be about 6 months. You didn't have much faith in the contents of the first memorandum.

Mr. MESSERSMITH. No.

The CHAIRMAN. And you got less faith in the contents of the second memorandum.

Mr. MESSERSMITH. I——

The CHAIRMAN. But you didn't do anything about it.

Mr. MESSERSMITH. About what?

The CHAIRMAN. About this man Alexander.

Mr. MESSERSMITH. Well, Mr. Chairman, I have had a lot to do with people and I recognize that some people are very competent, others are adequately competent, others are moderately competent, and so on.

The CHAIRMAN. You have done a great job here of discrediting this man Alexander. Now, I happen to know Mr. Alexander and have known him for a number of years. I have had personal knowledge of Mr. Alexander, the same as I have personal knowledge of other employees of the State Department. I have never found anything—certainly nothing like what you mentioned here—that would discredit Mr. Alexander. And I want to say this: If because of your testimony here today anything happens to Mr. Alexander, I mean happens to his employment with the State Department, there will have to be an accounting to this committee.

Mr. MESSERSMITH. Well, Mr. Chairman, I don't think that that is in question. I would like to make it clear, as I did at the outset, that it was with the greatest regret that I had to make any mention of that at all. But it was because of the very great attention which counsel gave to this memorandum and because of this that I want to bring attention to the fact that on August 9, Mr. Alexander wrote a letter to Mr. Hutton, our consul in Mexico City——

Mr. STRIPLING. Mr. Chairman, again he has returned to documents which the committee decided to deal with later on.

The CHAIRMAN. You are going to have Mr. Hutton as a witness?

Mr. STRIPLING. Mr. Hutton is here to testify, and those letters will be put in the record.

The CHAIRMAN. We will take up those letters when we have Mr. Hutton as a witness.

Mr. MESSERSMITH. Well, I would simply like to remark, then, that that paragraph in Mr. Hutton's letter——

Mr. WOOD. Mr. Chairman——

The CHAIRMAN. Mr. Wood.

Mr. WOOD. If Mr. Messersmith is going to be recalled, I think it is fair to let him make any statement that he desires about any documentary evidence that is presented here. If he is to be recalled, I think he should have that opportunity.

The CHAIRMAN. Yes.

Mr. STRIPLING. Mr. Chairman, may I make a suggestion? It is quite apparent from reading the letter why Mr. Messersmith seeks to discredit Mr. Alexander.

The CHAIRMAN. Who is being discredited now?

Mr. STRIPLING. I beg you pardon?

The CHAIRMAN. Who did you say is being discredited?

Mr. STRIPLING. Mr. Messersmith is seeking to discredit Mr. Alexander, his own employee.

I would like to read now from the Register of the Department of State concerning Mr. Alexander. It says:

* * * Assistant Chief, Visa Division, November 26, 1941, at \$5,600 * * * December 16, 1941; member of Efficiency Rating Commission in 1942; technical adviser, special mission to American Embassy at Panama, February 1942; technical assistant to United States Delegate, Meeting of Representatives of United States and British Governments to consider the refugee problem, Bermuda, 1943; Chairman, Efficiency Rating Commission, 1946.

And at the present time he is employed at a base salary of \$6,440 a year. And Mr. Russell advises me that his salary has been increased.

Now, it seems to me that a man that is on the Efficiency Rating Commission of the State Department and who has advanced every 2 or 3 years shouldn't be placed in such a position by a man who could have fired him—or put a memorandum in the record to the effect that he did not seriously consider what he had written, when the evidence shows that Mr. Messersmith acted upon the memorandum. He sent the memorandum to Mr. du Bois, the consulate general at Habana.

Now, getting back to why Mr. Messersmith wants to head off the letter, if I may say, from Mr. Alexander, I would like to read the letter dated August 9, 1939, to Mr. Hutton.⁹⁹ Mr. Hutton, who was the consul in charge of visas in Mexico City and who eventually granted a visitor's visa to Eisler, wrote Mr. Alexander, having been a former employee of Mr. Alexander, asking him for advice on certain questions, and Mr. Alexander, after giving him the advice, wrote as follows:

I think you are wise in leaving the political phase of the case for future consideration. However, when the time comes, I hope you will go into this matter with your usual care and skill. If this alien obtains an immigration visa and enters the United States we are likely to hear from the anti-Communist organizations in this country. Of course, if he is refused an immigration visa there will also be some repercussions among the so-called liberal elements in this country. We have a congressional investigation hanging over our heads, however, and I am sure that we will be called upon to render an explanation concerning the issuance of visas to so many of the Reds and Pinks who have been filtering into the country in recent years. If I were handling the case I would reach a conclusion I could defend before all the world and let the future take care of itself.

I hope you like your new post, and if I can be of any assistance to you I hope you will not hesitate to beckon me.

With kindest regards, always, I am,

Sincerely yours,

ROBERT C. ALEXANDER.

It is quite apparent why Mr. Messersmith would like to discredit Mr. Alexander.

MR. MESSERSMITH. I particularly wanted and I appreciate counsel reading this letter because so far as I am concerned and was concerned as a responsible officer of the Department—and I wouldn't change my opinion today—that letter shows a very cynical attitude toward the responsibilities which a consul officer has. The Congress of the United States gave to consuls by statute the obligation to grant these visas when, after due examination, they found that a visa should be granted or refused. That meant that every alien who appeared for a visa had to be given a fair hearing. All the available facts had to be taken into account, and then the consul reached a decision.

This was practically a statement on the part of someone in the Department to the effect that you must avoid responsibility, you must

⁹⁹ See appendix, p. 193, for exhibit 117.

not take any responsibility. That is an evasion of responsibility based upon the consul by the statute.

The CHAIRMAN. Mr. Messersmith, in this letter of August 9 from Mr. Alexander to Mr. Paul Hutton, who was then the American consul in Mexico, I notice that Mr. Alexander addresses Mr. Hutton, who I am sure you would say was a very responsible official at that time.

Mr. MESSERSMITH. Yes.

The CHAIRMAN. And still is.

Mr. MESSERSMITH. Yes.

The CHAIRMAN. As "Dear Paul."

Mr. MESSERSMITH. Yes.

The CHAIRMAN. They sort of know each other pretty well, I would say.

Mr. MESSERSMITH. Right.

The CHAIRMAN. That would indicate, if Mr. Alexander could address Mr. Hutton as "Paul"—and he starts off by saying, "I have your letter of August 9, 1939, concerning the case of Hanns Eisler"—that certainly Paul Hutton had some confidence in Mr. Alexander.

Mr. MESSERSMITH. I am quite sure of it.

The CHAIRMAN. I think we are going too far—

Mr. MESSERSMITH. I think we are going too far on this line—

The CHAIRMAN. In connection with Mr. Alexander. I think it is a mistake to seem to discredit him. I would rather not take up this question of Mr. Alexander any more today.

Mr. MESSERSMITH. I wish to repeat that I did not get into that until it became necessary, because of the emphasis placed on the memorandum.

The CHAIRMAN. Do you have any more questions?

Mr. STRIPLING. Mr. Chairman, I want to get away from it also, if you desire. However, this whole case, a lot of it, turns upon this memorandum, because it was a part of the file in Mexico City, it was a part of the file in Habana, it was a part of the file in Washington. Now, I didn't write the memorandum. It was the subordinate of Mr. Messersmith who wrote the memorandum. These are his files, the Department's files. We are just merely bringing them out here for them to speak for themselves. Mr. Messersmith, it appears to me, is here to discredit his own files and his own employees.

Mr. MESSERSMITH. No.

The CHAIRMAN. I think the files speak for themselves.

Mr. MESSERSMITH. I think, Mr. Chairman, it is desirable to note that when this visa was finally granted, Mr. Eisler continuously failed to succeed in getting an immigration visa; that is, any kind of an immigration visa from consul officers of our Government until he applied at Mexicali in 1940, when he secured a visa from the consul at Mexicali, who obviously failed to consult a stop card which was in his file. He was given a nonquota immigration visa as a professor.

The CHAIRMAN. Yes. But based on the testimony here today and the testimony we received yesterday, and the correspondence that was read here, I think the main reason, in fact the only reason, he didn't get a visa when he was in Cuba was because the consul in Cuba refused to give him a visa.

Mr. MESSERSMITH. He didn't—

The CHAIRMAN. There was a lot of pressure put on by various people so that he could get a visa, but the consul stood his ground.

Mr. MESSERSMITH. Well——

Mr. STRIPLING. Mr. Chairman——

The CHAIRMAN. And we will show tomorrow that the consul in Mexico didn't stand his ground.

Mr. WOOD. Mr. Chairman——

The CHAIRMAN. Mr. Wood.

Mr. WOOD. I understand, Mr. Messersmith, from the statement you just made, that you question the action of the consul in Mexico in granting him the nonquota visa under which he is now in America.

Mr. MESSERSMITH. No; I do not question that. I merely say this, that the visa was not granted in Habana.

Mr. WOOD. I understand, but——

Mr. MESSERSMITH. It was not granted in Mexico City. It was granted in Mexicali.

Mr. WOOD. Do you in fact question the wisdom of the action of the consul in Mexico in granting him the visa, under which he is now in America?

Mr. MESSERSMITH. The consul in Mexicali obviously failed to consult his index cards, don't you know, which they are supposed to consult.

Mr. WOOD. I understand, but do I also understand from that statement that it is your opinion if he had consulted it and acted on it as he should have done he wouldn't have issued the visa?

Mr. MESSERSMITH. No. All I meant to say is that he had available in his files, you see, all the information which the Department had sent to Habana and to Mexico City, and if the consul had consulted his cards he would have referred the case to the Department of State, which would have called his attention to all these previous statements.

The CHAIRMAN. Who was the consul in Mexicali?

Mr. MESSERSMITH. I really can't say.

The CHAIRMAN. Who failed to consult the cards?

Mr. MESSERSMITH. I think it was a vice consul by the name of Meyer.

Mr. WOOD. The whole question, as I understand it, that we are concerned here today with, is whether or not this man is in this country now properly or improperly. Should he have been admitted or shouldn't have been?

Mr. MESSERSMITH. Well——

Mr. WOOD. Since he was admitted, then who is responsible if he shouldn't have been.

Mr. MESSERSMITH. Well, it is necessary in that connection to bear in mind for your future consideration of the case, which I am sure you will, that when the consul in Mexicali granted this visa the immigration authorities at Calexico held up the entry of the alien on this particular visa. However, that was not on the basis of any political matter; that is, Communist or that sort of thing, but on the ground that he was not entitled to nonquota status.

Mr. Eisler appealed from this decision of the immigration authorities in Calexico. The board of review of the Immigration Department, with which the Department of State had nothing to do, ruled that he was entitled to nonquota status, and he was admitted. So all these things that we have been going into so far, before Mexicali, indicated that the action of the Department had been to impede the issue of a visa. The final responsibility for according nonquota status was on the board of review of the Immigration Department here in Wash-

ington, which determined that he was entitled to that status. So there was no action of the State Department whatever involved in the granting of the visa, in the final admission of Mr. Eisler.

The CHAIRMAN. In the final admission.

Mr. MESSERSMITH. Yes.

The CHAIRMAN. Mr. Stripling, do you have any more questions?

Mr. STRIPLING. No, sir; I have no more.

The CHAIRMAN. Do you have any more, Mr. McDowell?

Mr. McDOWELL. Yes.

I would like, Mr. Secretary, to ask you this question: He was declined at Calexico on what grounds?

Mr. MESSERSMITH. He was granted a visa, you see, by the consulate.

Mr. McDOWELL. In Mexicali?

Mr. MESSERSMITH. At Mexicali. Then, naturally, he went across the border and there he had to present his visa to the immigration authorities, and there the immigration authorities were apparently more alive to the situation. They have copies of these cards, because when the State Department sent out a card like that, a stop card, you know, that was sent out in 1936, the copies were sent to all immigration officers at ports of entry into the United States. They looked at that. They examined the records, and apparently—I don't know what the record there shows from the point of view of his political opinions, and so on—they thought that was all right. But the immigration authorities at Calexico decided that he was not a nonquota immigrant, that is, he was not entitled to that special status which exempted him from the quota. So they refused him admission. Then Mr. Eisler had the right to appeal.

He appealed from the decision of the immigration authorities at Calexico. The case was sent up here to the board of review, I assume, in Washington. At that time it was still in Washington, that is, the headquarters of the Immigration Service. They decided that he was entitled to nonquota status. So at the time the visa was granted at Mexicali and he was admitted into the United States, the State Department had no knowledge of his being admitted or the visa having been granted. They only learned of that when in due course the consul at Mexicali sent in the statement, which he had to send in every 2 weeks, I believe, of visas issued, you see.

Mr. McDOWELL. Well, Mr. Secretary, I was in Calexico, I believe, in May. If I recall rightly, the officials told me there that he had been declined entrance on the basis that he might become a public charge. That, as I recall, was the term they used—a catch-all phrase. They had no information that I can recall from Washington on any communistic activities or affiliations. But on their initiative they declined to admit him.

Mr. MESSERSMITH. You mean, this is the immigration authorities, or the—

Mr. McDOWELL. At Calexico.

Mr. MESSERSMITH. Yes, at Calexico.

Mr. McDOWELL. If I recall, 2 or 3 days later a wire was received in Calexico from some official in the East revoking the order barring him. I assume from what you just testified you have no knowledge of that?

Mr. MESSERSMITH. No, I have no knowledge of those things, except from the record, don't you know. I mean, I had no personal knowledge of it.

The CHAIRMAN. Do you have any more questions?

Mr. STRIPLING. No. I just want to point out, Mr. Chairman, when he finally did enter, his political views were not considered by any of the agencies concerned, on his admission to the United States.

The CHAIRMAN. Anything more?

Mr. McDOWELL. Can anybody tell me how long he had been out of the United States proper when he applied at Mexicali or at Calexico for reentry into the United States?

Mr. STRIPLING. Well, we have Mr. Porter here, Mr. McDowell, who will be on tomorrow and can testify concerning that.

The CHAIRMAN. Is Mr. Hutton the first witness tomorrow?

Mr. STRIPLING. The first witness tomorrow will be Mr. Porter, to be followed again by Mr. Savoretti.

The CHAIRMAN. And then Mr. Hutton?

Mr. STRIPLING. And then Mr. Hutton.

The CHAIRMAN. Thank you very much, Mr. Messersmith.

We stand adjourned until 10:30 tomorrow morning.

(Whereupon, at 4 p. m., the hearing was adjourned until Friday, September 26, 1947, at 10:30 a. m.)

INVESTIGATION OF UN-AMERICAN PROPAGANDA ACTIVITIES IN THE UNITED STATES

FRIDAY, SEPTEMBER 26, 1947

HOUSE OF REPRESENTATIVES,
COMMITTEE ON UN-AMERICAN ACTIVITIES.
Washington, D. C.

The committee met at 10:30 a. m., Hon. J. Parnell Thomas (chairman) presiding.

The CHAIRMAN. The meeting will come to order.

The record will show that those present are Mr. McDowell, Mr. Wood, Mr. Rankin, and Mr. Thomas.

The first witness will be Mr. Hutton.

Staff members present: Mr. Robert E. Stripling, chief investigator and Mr. Louis J. Russell and Mr. Donald T. Appel, investigators.

Mr. STRIPLING. Mr. P. C. Hutton.

The CHAIRMAN. Mr. Hutton, will you take the stand, please?

Will you raise your right hand? Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HUTTON. I do.

The CHAIRMAN. Sit down.

TESTIMONY OF P. C. HUTTON, AMERICAN EMBASSY, GUATEMALA CITY

Mr. STRIPLING. Mr. Hutton, will you speak into the microphone and address the committee, please?

What is your full name and present address?

Mr. HUTTON. Paul Churchill Hutton, American Embassy, Guatemala City.

Mr. STRIPLING. When and where were you born, Mr. Hutton?

Mr. HUTTON. Goldsboro, N. C., November 17, 1903.

Mr. STRIPLING. Where are you presently employed?

Mr. HUTTON. I am a Foreign Service officer of the Department of State, presently assigned to Guatemala City.

Mr. STRIPLING. In what capacity?

Mr. HUTTON. I am second secretary of embassy and consul.

Mr. STRIPLING. How long have you been in the Foreign Service?

Mr. HUTTON. I have been in the Foreign Service since July 19, 1930.

The CHAIRMAN. May I interrupt just a minute?

Mr. STRIPLING. Yes, sir.

The CHAIRMAN. The Chair failed to announce that there will be an executive session of the committee at 2 o'clock this afternoon, in our

chambers downstairs, to take up the question of this Hanns Eisler hearing.

All right, Mr. Stripling.

Mr. STRIPLING. Mr. Hutton, would you outline for the committee the various posts and positions that you have held in the Foreign Service of the State Department since 1930? You need not go into great detail, but just name some of the positions you filled.

Mr. HUTTON. I have been a public servant since graduating from the United States Military Academy in 1926. I served 4 years in the United States Army. I resigned to enter the Foreign Service. My post of assignment was Panama, Panama. My second post was the Foreign Service School in the Department of State.

My first permanent post of assignment was with the consulate in Bombay, India. I was in Bombay for a little over 2 years. I next drew the consulate general at Dublin, Ireland. My next post of assignment was temporary in the Department of State.

Mr. STRIPLING. What year was this, the temporary assignment in the Department of State?

Mr. HUTTON. In the early part of 1939. In about the middle of 1939 I arrived in Mexico City, Mexico, where I was attached to the consulate general and assigned as consul in charge of the Visa Section. I remained in Mexico City for approximately 2 years. I was then transferred to the Department of State. I did special work for the Department of State for 4 years.

I was then—this was in 1945, the latter part of 1945—assigned to my present post in Guatemala City. I have remained there since then.

Mr. STRIPLING. Prior to your going to Mexico City, did you ever do any visa work in any of your assignments?

Mr. HUTTON. I did. I was in charge of the visa office for about 3 years in Dublin, Ireland. I was assigned to the Visa Division in the Department of State on temporary detail for about 2 months, in the early part of 1939.

Mr. STRIPLING. Mr. Hutton, in connection with your assignment at Mexico City as the consul in charge of visa matters, do you recall whether or not the case of Hanns Eisler was ever brought to your attention, or an application by Hanns Eisler and his wife for a non-quota visa into the United States?

Mr. HUTTON. I certainly do.

Mr. STRIPLING. You do remember that?

Mr. HUTTON. I do.

Mr. STRIPLING. Very well.

Mr. HUTTON. There are many parts of the case that I cannot recall at this late date. That was 8 years ago. But I remember the case; yes.

Mr. STRIPLING. First, Mr. Chairman, I would like to introduce a letter dated August 1, 1939, written on the letterhead of the American Consular Service, Department of State, Mexico, D. F., from Mr. Hutton to Mr. Robert C. Alexander——¹⁰⁰

Mr. RANKIN. Mr. Stripling, I didn't get that date.

Mr. STRIPLING. That is August 1, 1939.

The letter reads as follows:

DEAR ALEX: I have thought many times about the two rather hectic months that I spent with you in the Visa Division back in Washington and I must

¹⁰⁰ See appendix, p. 193, for exhibit 118.

confess that I do not envy you laboring away among the mass of papers in the heat that I read about in the latest reports from home. As I suspected before I came to Mexico I have been designated as the visa officer here and I must say that I find the work quite different from my visa experience heretofore and incidentally much more varied and interesting.

Our friend Hanns Eisler has finally put in his appearance and the whole case has been dropped in my lap as my particular "baby." I spent most of yesterday putting him through the jumps and it so happens that I had already decided for the time being to disregard the Communist aspect of his case, believing that it was quite possible that he would have to remain down here for about 2 years or possibly longer, if not entitled to nonquota status, before a final decision need be reached in the matter. This is in line with the last paragraph of the Department's instruction of July 24, 1939, which, happily, was received on the very day that Eisler and his wife called for formal interview.

I call the committee's attention, Mr. Chairman, to the language "the Department's instruction of July 24, 1939."¹⁰¹ It will be recalled that the witness yesterday, Mr. Messersmith, definitely told the committee that the Department did not issue instructions or directives to the consular offices.

The letter continues—

Mr. HUTTON. Mr. Chairman, could I interrupt there and make an explanation that I think is very pertinent to the record?

Mr. STRIPLING. Yes, sir.

The CHAIRMAN. Yes; go ahead.

Mr. HUTTON. We use in the Department of State the word "instruction" to apply to any written communication sent to a consular officer abroad. There are all kinds of instructions. That does not mean that it is an actual instruction or directive. It is any message that is sent abroad not in the form of a telegram or an airgram or an operations memorandum.

The CHAIRMAN. Well, Mr. Stripling, are you going to bring out just what these instructions were?

Mr. STRIPLING. Yes, sir; I just wanted to mention that.

The case as it resolves itself now has to do with the determination of whether Eisler's association over a period of approximately 15 months with the New School for Social Research in New York may be counted as a portion of the 2-year period before he may be eligible for nonquota status as a professor. There is no doubt in my mind but that this whole professor business is a guise and that Eisler's teaching activities have been undertaken with a very definite end in mind. Nevertheless all of the evidence and facts about his case indicate that he can meet all of the requirements of the law and of the instruction of May 9 relating to professors, in the preparation of which I had a hand, in view of the fact that the New School for Social Research has been in the past and apparently continues to be considered as an acceptable faculty thereof, and that, whether by design or otherwise, his activities have been almost wholly concerned with the teaching of students in the school and with the composition of music in his spare time. There are only two points about which I am in doubt insofar as concerns his past association with this school and which might be sufficient to discount this association. The first is the fact that the school is in the United States and not in some foreign country. I find nothing in the law, either express or implied, which indicates that the school should be in some foreign country, and I am therefore inclined to discount the possibility of throwing out his case on this account. The other point is that whereas Eisler was carried as a member of the faculty of the school he was not paid a salary, apparently because of the refusal of Labor to permit extensions of his stay in the United States if he was paid a salary. However, he did receive compensation for his teaching in the form of one-half of the tuition fees of his students, the other half going to the school. This fact might

¹⁰¹ See appendix, p. 193, for exhibit 119.

also be sufficient to discount his past association with the school for nonquota status purposes.

In the Department's instructions under reference it appears that someone assiduously avoided commenting upon Eisler's status while in the United States but did go so far as to point out that he could not be considered a professor while abroad, a fact about which there is no question and which Eisler did not even undertake to contend.

My first reaction after going into the case was to throw up to the Department for its official interpretation these two points but I am reluctant to do this if I can obtain from some other source some intimation as to the Department's attitude and I am therefore approaching you in a purely personal and unofficial way for your comments, if any, which might help me in my dilemma. Needless to say, I would just as soon that this question should not be taken up through the regular channels as yet.

I might mention for your confidential information that I have gone all through the Eisler case from start to finish and that while I carefully avoided touching upon any other than the nonquota status aspect there is reason to believe that a finding that he is inadmissible into the United States because of his political beliefs or associations would be most difficult to sustain. If, however, he is found ineligible for nonquota status as a professor it is very probable that someone else rather than I will have to worry about that aspect of his case. Personally he and his wife are very likable and intelligent people although, of course, he made every effort with me to put his best foot forward, as did his wife.

I hate to bother you with my problem but if you are disposed to do it I should certainly appreciate your dropping me just a few lines as an indication not so much of your personal views (which I think I am fairly well aware of) as of the legal or departmental aspects of the two points I have raised.

I would have bothered Elliot in this matter before you since I think he has had more to do with professors than you have but for the fact that I think he is now on his honeymoon. Please give my best to all my friends in the Visa Division.

With kindest regards,

Sincerely yours,

P. C. HUTTON.

Mr. Hutton, do you recall writing this letter?

Mr. HUTTON. I do.

Mr. STRIPLING. Do you know Mr. Alexander?

Mr. HUTTON. Yes.

Mr. STRIPLING. Did you hear the testimony yesterday by Mr. Messersmith concerning Mr. Alexander?

Mr. HUTTON. I did.

Mr. STRIPLING. Do you consider Mr. Messersmith's testimony to be correct concerning Mr. Alexander and his qualifications or his ability on visa matters?

Mr. HUTTON. Mr. Stripling, I am Foreign Service officer. I have little or nothing to do with the administration of the Department of State. There are many, many people in the Department far better able to answer than I. I would rather not—

The CHAIRMAN. Just a minute. That question was asked of you. You know Mr. Alexander well.

Mr. HUTTON. Yes, sir.

The CHAIRMAN. You have known Mr. Alexander over a period of years?

Mr. HUTTON. Yes, sir.

The CHAIRMAN. I must insist that you answer that question.

Mr. HUTTON. I have the highest regard for Mr. Alexander, both personally and otherwise.

The CHAIRMAN. Do you believe that he has been competent in his position?

Mr. HUTTON. I have no particular reason to believe otherwise, sir. There are obviously instances in which any responsible officers have an honest difference of opinion. Undoubtedly there was a difference of opinion in this particular case between Mr. Messersmith and Mr. Alexander.

The CHAIRMAN. You must have thought he was competent or you wouldn't have asked him to give you this information and contacted him the way you did.

Mr. HUTTON. That is correct, sir.

The CHAIRMAN. You do think he is competent?

Mr. HUTTON. Yes, sir.

The CHAIRMAN. That is right. We want you to be very frank here today. You have nothing to worry about.

Mr. McDOWELL. I think Mr. Hutton made a very fine answer.

The CHAIRMAN. So do I.

Go ahead, Mr. Stripling.

Mr. STRIPLING. Next, Mr. Chairman, I would like to introduce a letter dated August 9, 1939, from Robert C. Alexander——¹⁰²

Mr. RANKIN. Mr. Chairman, I call attention to the fact that the difference of opinion between Mr. Messersmith and Mr. Alexander never did arise until Mrs. Roosevelt's letter was written in the Eislers' behalf.

Mr. STRIPLING. This letter is dated August 9, 1939, to "Dear Paul," written by Robert C. Alexander. A portion of this letter, Mr. Chairman, was placed in this record yesterday, but I should like to read it in its entirety today. This is in reply to the letter I have just read:

I have your letter of August 1, 1939, concerning the case of Hanns Eisler.

You are correct in your view that an alien may have periods of teaching as a professor of a college in the United States counted in determining whether he has been following the vocation of a professor for the necessary 2-year period preceding his application for admission. In other words, the law does not require an alien to have been following such vocation abroad for the statutory 2-year period. He may have been following such vocation in the United States for part of the period and abroad for the other part.

With reference to your second question, there is some doubt in my mind as to whether Hanns Eisler has actually been following the vocation of a professor in the United States for any appreciable length of time. You will note from the summary of the file of the Department of Labor, a copy of which we sent to Habana and which may be contained in Habana's file, which you probably have in Mexico City, that Dr. Johnson of the New School for Social Research made an offer of a professorship to Hanns Eisler early in 1938 and that on July 2, 1938, Labor authorized the extension of stay to permit Eisler to remain here temporarily to accept the professorship in question. If, as it appears, therefore, Eisler did not begin his work as a professor in the United States until July 1938 he could not qualify as a professor within the meaning of section 4 (d) until some time in 1940, even if he has been continuing to follow his vocation after he departed from the United States. In this connection you will also note from the Habana file that the Department has advised the interested persons that Eisler's activities before he entered the United States the last time cannot be considered as bringing him within the nonquota classification provided in section 4 (d) of the Immigration Act of 1924. The 2-year period of professorship will therefore not begin to run in Eisler's case until after his last entry into the United States, if at all.

There is some doubt in my mind also regarding the question whether Eisler's teaching activities with the New School for Social Research would enable him to claim successfully that he has been following the vocation of a professor within the meaning of section 4 (d). If he did not accept the professorship offered by Dr. Johnson, but instead engaged in other teaching activities which

¹⁰² See appendix, p. 193, for exhibit 117.

would preclude his classification as a professor with that institution, such as teaching a private class and giving the institution half of the tuition of his students for the use of the institution's classrooms and other facilities, he would not seem to have been a professor "of a college, academy, seminary, or university" within the meaning of section 4 (d). His precise connection with the New School for Social Research is, however, a question of fact and he will have to prove such fact to your satisfaction.

I think you are wise in leaving the political phase of the case for future consideration. However, when the time comes, I hope you will go into this matter with your usual care and skill. If this alien obtains an immigration visa and enters the United States we are likely to hear from the anti-Communist organizations in this country. Of course, if he is refused an immigration visa there will also be some repercussion among the so-called liberal elements in this country. We have a congressional investigation hanging over our heads, however, and I am sure that we will be called upon to render an explanation concerning the issuance of visas to so many of the Reds and "pinks" who have been filtering into the country in recent years. If I were handling the case I would reach a conclusion I could defend before all the world and let the future take care of itself.

I hope you like your new post, and if I can be of any assistance to you I hope you will not hesitate to beckon me.

With kindest regards always, I am

Sincerely yours,

ROBERT C. ALEXANDER.

Do you recall receiving that letter?

Mr. HUTTON. I do.

Mr. STRIPLING. Now, Mr. Hutton, going back to your letter to Mr. Alexander, you state:

Our friend, Hanns Eisler, has finally put in his appearance and the whole case has been dropped in my lap as my particular "baby."

That sentence, Mr. Hutton, indicates that you were well aware of the Eisler case prior to the time that Mr. Eisler appeared.

Would you tell the committee what you knew of the case—background, and so forth—prior to the time Mr. Eisler appeared at the consulate?

Mr. HUTTON. My knowledge of the case of Mr. Eisler before it came to Mexico was very limited. As I stated, previously, however, I was in the Visa Division for approximately 2 months and I was in a general way familiar with the case not only of Mr. Eisler but of many other persons of some prominence; that is to say, persons who had been the subject of letters from prominent persons. Mr. Alexander happened to work in the same office with me, or perhaps I worked in the same office with him, and from time to time we would exchange conversation about our work. I presume that the exchanges that I had with Mr. Alexander, in an unofficial and personal way, were responsible for my referring to Eisler as "our friend."

I knew, of course, that Mr. Alexander had been devoting considerable time to the case of Eisler, and that he had communicated with Mr. Messersmith, Mr. Warren, and others in the case.

The CHAIRMAN. May I interrupt right there?

Mr. STRIPLING. Yes.

The CHAIRMAN. Mr. Hutton, you said "many other persons of some prominence." Who were those persons?

Mr. HUTTON. The record yesterday mentioned a number of names, that is to say people who had written letters about Eisler. And I am under the impression that Mr. Alexander had a hand in drafting some of the replies, perhaps the majority of the replies. I don't know who drafted all of the letters in the case.

The CHAIRMAN. Well, from your own knowledge, you name them, these persons of some prominence that you referred to.

Mr. HUTTON. We know, of course, that Mrs. Roosevelt wrote Mr. Welles about the case; Mr. Raymond Graham Swing; Miss Dorothy Thompson; Mr. Stephens; Mr. Oscar Levant, I believe—I am speaking now from memory, Mr. Chairman; Garrison Films, of Hollywood, I believe.

The CHAIRMAN. Garrison who?

Mr. HUTTON. The Garrison Films of Hollywood, I believe. I would like to refresh my memory, sir.

But there were many, many——

The CHAIRMAN. You go ahead and refresh it.

Mr. HUTTON. I don't know that I am able to do so here. Of course, there was Mr. Alvin Johnson. I haven't the file in front of me that gives that information, Mr. Chairman. The file, I believe, is with Mr. Stripling.

Mr. STRIPLING. Mr. Chairman, yesterday you gave permission that they be inserted in the record. I did not read all of the papers.

The CHAIRMAN. All right. I thought maybe he might mention some that were not included yesterday.

Mr. HUTTON. I had no one particularly in mind, in saying that, sir.

Mr. STRIPLING. What you mean, Mr. Hutton, is that this was a very prominent case?

Mr. HUTTON. It was a very prominent case, and that was responsible——

Mr. STRIPLING. You were well aware of it?

Mr. HUTTON. I was well aware of the bold outlines of the case. I had not read the file over myself, but I had heard Mr. Alexander discuss it personally indirectly with other people of the Visa Division. He mentioned from time to time, I suppose, some new development in the case, which he would call to my attention.

Mr. STRIPLING. Now, the case of Hanns Eisler, the application of Hanns Eisler, was transferred from Habana, Cuba, to the consulate at Mexico City; is that right?

Mr. HUTTON. That is correct.

Mr. STRIPLING. Do you have the date that it was transferred?

Mr. HUTTON. I believe it was transferred in the early part of April 1939.

Mr. STRIPLING. April 1939.

Mr. RANKIN. Who transferred it?

Mr. STRIPLING. It was transferred, Mr. Rankin, at the request of Carol King, who had been designated as the counsel for Mr. Eisler—Carol Weiss King.

Mr. RANKIN. Who designated him as counsel for Eisler?

Mr. STRIPLING. Hanns Eisler.

The CHAIRMAN. It is a she.

Mr. McDOWELL. Well, to whom would she make a request?

Mr. STRIPLING. Carol Weiss King was designated as counsel for Mr. Eisler. That letter was introduced yesterday.¹⁰³

Mr. RANKIN. She was designated by Eisler, himself?

Mr. STRIPLING. That is right.

¹⁰³ See appendix, p. 193, for exhibit 114.

Mr. RANKIN. And not by the Government?

Mr. STRIPLING. That is right.

Mr. RANKIN. In other words, she was Eisler's lawyer?

Mr. STRIPLING. That is right.

Mr. RANKIN. Who got this case transferred in order to find a soft place through which to get over the border?

Mr. STRIPLING. When he did not receive a visa at Habana, the case was transferred to Mexico, at the request of Carol King, who was acting as Mr. Eisler's lawyer.

The CHAIRMAN. Was Carol King Gerhart Eisler's attorney?

Mr. STRIPLING. She was his attorney in the recent trial in Washington, both in the contempt case and I believe in the passport fraud case.

The CHAIRMAN. And was she Harry Bridges' attorney?

Mr. STRIPLING. She was.

The CHAIRMAN. Go ahead.

Mr. HUTTON. Mr. Chairman, may I make an interjection? Mr. Stripling said that when the visa was not given at Habana the case was transferred. I am afraid that may lead to a misinterpretation, and I would like to straighten that out for the record.

The case was never acted on by Habana.

Mr. STRIPLING. Well, the fact still remains, Mr. Hutton, that a visa was never issued at Habana, although a visa was applied for at Habana.

Mr. HUTTON. No; I would like to correct you, Mr. Stripling.

No application for a visa was made at Habana. A preliminary examination of the documents was made, which is quite different from an application. An application presupposes that the applicant appeared in person and goes through the usual rigamarole.

Mr. STRIPLING. Yes; but he didn't appear in person in Habana.

Mr. HUTTON. He did not.

Mr. STRIPLING. I think that is the whole essence of the case. Mr. Eisler was attempting to insure that he would be granted a visa before he proceeded to leave the United States to go to Habana.

Mr. HUTTON. I may say this, that no responsible consular officer ever gives any assurance of the issuance of a visa before the applicant appears personally. There are too many facts that can throw out the case.

Mr. STRIPLING. I am not referring, Mr. Hutton, to a consular officer.

Mr. Chairman, at this point I would like to insert Mr. Hutton's reply to Mr. Alexander's letter thanking him, dated August 21, 1939.¹⁰⁴

DEAR ALEX: Many thanks for your very helpful reply to my letter regarding Hanns Eisler. I am in entire agreement with all of your ideas on the case. Now that Mr. Shaw has returned we are to have a council of war on the subject in a few days and I think that Dr. Eisler and his wife are due for a protracted wait in Mexico before their case will finally be acted upon.

With kindest regards, I am

Sincerely yours,

P. C. HUTTON.

Now, Mr. Hutton, in reading the correspondence, it is quite evident that there was no desire on your part to expedite the visa for Mr. Eisler. Is that the case?

¹⁰⁴ See appendix, p. 193, for exhibit 120.

Mr. HUTTON. That is substantially correct.

Mr. STRIPLING. What prompted such an attitude on your part?

Mr. HUTTON. My correspondence with Mr. Alexander presupposed that Eisler was going to apply for an immigration visa. I think the letter speaks pretty well for itself. My first question was to determine whether or not Mr. Eisler was in fact entitled to nonquota status under section 4 (d).

Mr. STRIPLING. If I may interrupt you. Would you explain to the committee the difference, if there is any difference, between an immigration visa and a nonquota visa.

Mr. HUTTON. A nonquota visa is an immigration visa. There are in general terms two types of immigration visas: Quota visas and nonquota visas. Those are both immigration visas.

There are in addition, of course, nonimmigration visas.

Mr. McDOWELL. Does that letter refer to Eisler as a "Dr. Eisler"?

Mr. STRIPLING. Yes; it does.

Mr. McDOWELL. We have him a doctor now, do we?

Mr. HUTTON. Apparently I considered him a doctor, on the basis of the evidence in front of me. Maybe he considered himself one. I don't know. I cannot answer that question now.

Mr. STRIPLING. Now, to get back to your letter of August 1, 1939, to Mr. Eisler, you state:

I spent most of yesterday putting him through the jumps and it so happens that I had already decided for the time being to disregard the Communist aspect of his case.

Would you explain to the committee, Mr. Hutton, why you decided to disregard the Communist aspect of the case?

Mr. HUTTON. Because that was a bridge that I reasoned I would not cross for probably 2 years.

Mr. STRIPLING. Why?

Mr. HUTTON. There was no use going into that aspect of the case at that time.

Mr. STRIPLING. Now, why?

Mr. HUTTON. Because if he was not entitled to an immigration visa for 2 years—

Mr. STRIPLING. As a professor?

Mr. HUTTON. As a professor or a quota visa as a nonpreference immigrant, either one, there would be no occasion to cross that bridge until I came to it.

Mr. STRIPLING. Therefore, you saw no point in going into the controversial aspect of it, which was the political aspect?

Mr. HUTTON. That was the principal controversial aspect, undoubtedly.

Mr. STRIPLING. Now, did you interview Mr. Eisler and his wife at the consulate when they appeared?

Mr. HUTTON. I did, very thoroughly.

Mr. STRIPLING. Would you tell the committee of your interview with Mr. Eisler and his wife?

Mr. HUTTON. Fortunately, we have received from Mexico City, from the consulate general down there—it is now the American Embassy—certain notes that I took at the time. Some of the information apparently was filed with Mr. Eisler's subsequent application for a non-immigrant visa. Under authority vested in consular officers, certain

of the material in connection with applications for nonimmigrant visas may be destroyed after 3 years. Accordingly, the file is incomplete.

However, insofar as concerned the application for an immigration visa, we have everything that is now available in Mexico and I am satisfied that that is all that was in the file at the time.

Mr. STRIPLING. Do you have the transcript of your question and answer forms, in your interview with Mr. Eisler and his wife?

Mr. HUTTON. I have not the transcript of the interrogatory to which I subjected him at the time that he applied for a nonimmigrant visa, after I had determined that he was not eligible for classification as a nonquota immigrant.

Mr. STRIPLING. Were those statements made under oath?

Mr. HUTTON. Those statements were made under oath.

Mr. STRIPLING. Where is that record?

Mr. HUTTON. That record was probably filed with the application for a nonimmigrant visa. Under a departmental instruction dated March 4, 1944, consular officers may destroy certain nonimmigrant records that are 3 years old or over.

Mr. STRIPLING. In other words, you assume that it has been destroyed?

Mr. HUTTON. I have no knowledge what happened to it. That is the only assumption I can make.

Mr. STRIPLING. Did you examine the file of the State Department here in Washington in this case, prior to coming here to testify?

Mr. HUTTON. I certainly did.

Mr. STRIPLING. Did you find a transcript of the interview between you and Mr. Eisler?

Mr. HUTTON. No; no transcript of the interviews. I found in the file from Mexico City certain notes that I had made on the basis of my interviews with Mr. Eisler.

Mr. STRIPLING. I know; but I am speaking of the sworn statements that Mr. Eisler gave in reply to your questions.

Mr. HUTTON. You are referring now to the application for a nonimmigrant visa. Yes; I have seen those.

Mr. STRIPLING. I am referring to any sworn statements that Mr. Eisler made to you in connection with any visa which he applied for in Mexico City.

Mr. HUTTON. Yes.

Mr. STRIPLING. Do you have those transcripts?

Mr. HUTTON. I may have them here—yes; I have them in front of me.

Mr. STRIPLING. All of them?

Mr. HUTTON. I have not the testimony that I took from him under oath before I issued him a nonimmigrant visa, if that is what you are referring to. But I have the two forms that he signed—we call them form 257—in connection with his application for a nonimmigrant visa.

Mr. STRIPLING. What I am trying to find out, Mr. Hutton, is what happened to the testimony.

Mr. HUTTON. My only answer to that, as I indicated a moment ago, was that it was probably destroyed after this instruction was received authorizing the destruction of certain records.

Mr. STRIPLING. Well, then, to the best of your recollection, will you tell the committee the type of questions you asked Mr. Eisler regarding his political affiliations and your best recollection as to his answers?

Mr. HUTTON. I think I should premise my reply to that with a statement that these questions that I asked, the record on which cannot now be found, were asked in connection with his application for a visitor's visa. All of the preliminary examinations that I had had with Mr. Eisler were in connection with his application for an immigration visa.

If you would like me to jump ahead, I will undertake to do so.

Mr. STRIPLING. Yes; I would like for you to do so.

Mr. HUTTON. I can only surmise the nature of the questions that I would now ask him if he were applying before me.

Mr. STRIPLING. Let us make this distinction.

As I understand from your letter, you decided that you wouldn't ask him any questions about his communistic activities in connection with his immigration visa because you were going to deny that on the ground that he wasn't a professor under section 4 (d).

Mr. HUTTON. That is not precisely correct, Mr. Stripling. I did not go into that aspect at the time I examined him for an immigration visa so thoroughly as I did later.

Mr. STRIPLING. But you did go into it?

Mr. HUTTON. I did.

Mr. STRIPLING. But when he applied for a visitor's visa to the United States—which you wanted; that is correct, is it not?

Mr. HUTTON. That is correct.

Mr. STRIPLING. You did question him?

Mr. HUTTON. I did.

Mr. STRIPLING. About his political affiliations?

Mr. HUTTON. I did.

Mr. STRIPLING. And that is the testimony which cannot be found; is that correct?

Mr. HUTTON. That is correct.

Mr. STRIPLING. Now, that is what we would like to know. Did you ask him if he was a Communist, for example?

Mr. HUTTON. I did.

Mr. STRIPLING. Now, relate to the committee the type of questions you asked and his answers, as you remember them.

Mr. HUTTON. Obviously, I cannot recall, after 8 years, the questions that I asked him.

The CHAIRMAN. I know; but do the best you can.

To start off, did you ask him if he was a Communist?

Mr. HUTTON. My practice in all such cases as this, Mr. Chairman, is to ask the many every conceivable question that would throw any light on his past affiliations. I think that I probably asked him to outline his career for me, the nature of the work that he had done, the type of songs that he had written, why he had written these songs entitled "Comintern," "Solidarity," "United Front," and so forth.

I am sure that I asked him whether or not he was a member of any of the various organizations which are listed in the latter part of Foreign Service regulations. These organizations are stated by the Department to be those which may be regarded as either communistic or Communist-front organizations, or other organizations, connec-

tions, or affiliations with which on the part of any visa applicant would be sufficient to disqualify that applicant from receiving a visa.

The CHAIRMAN. Did you ask him if he was a member of the Communist Party?

Mr. HUTTON. I must have asked him that.

The CHAIRMAN. And what was his answer?

Mr. HUTTON. His answer would have been, "No." I have never yet received an affirmative answer to that question, as naive as it may be—that a person is a member of the Communist Party.

The CHAIRMAN. Did you ask him if he had ever been a member of the Communist Party?

Mr. HUTTON. I certainly must have.

The CHAIRMAN. And what was his answer to that?

Mr. HUTTON. His answer was, "No."

Mr. STRIPLING. Now, Mr. Hutton, you granted this visa?

Mr. HUTTON. I did.

Mr. STRIPLING. For him to come to the United States, for a period of how long?

Mr. HUTTON. Ostensibly for a period of 2 months.

Mr. STRIPLING. If you knew the man was a Communist, or if you suspected that he was a Communist, would you issue a visa?

Mr. HUTTON. No.

Mr. STRIPLING. Did you have before you the résumé of the Labor Department file which Mr. Alexander had prepared, and which has been brought into this hearing time and time again, and which closes with the statement, "The evidence establishes preponderantly that Eisler is a Communist"? Did you have that before you?

Mr. HUTTON. I had before me a résumé of the Department of Labor file. I do not think that I had before me the analysis and conclusion of Mr. Alexander. I have spoken about this to Mr. Alexander himself. Mr. Alexander wrote the instruction—again I refer to the word "instruction" as any dispatch going out to the field—to Habana, enclosing a synopsis of the Labor Department file. There is nothing in the records to indicate that the gratuitous comments of Mr. Alexander at the end of that memorandum were sent to Habana. However, I could not say definitely one way or another whether those were included in the file sent to Habana or not. I do not think so.

The CHAIRMAN. May interrupt just a minute?

Mr. STRIPLING. Yes.

The CHAIRMAN. You mentioned that it was the custom of the Department to destroy the files in connection with such an application after 3 years.

Mr. HUTTON. It is not the custom, sir. There is granted consular officers discretionary authority. A person who is not familiar with the papers that are accumulated in an active office has no conception of the difficulty in filing those papers and of the space they take up over the course of years.

The CHAIRMAN. Now, you mentioned before that this was a very prominent case. Would it have been the custom to destroy the files in connection with the application in a very prominent case?

Mr. HUTTON. I certainly do not think it would have been. But obviously the person who did destroy these, if they were destroyed, would have no knowledge of the case. We handle thousands of visas

in Mexico, and it was just another name, as far as he was concerned. Had I been there, and had I had anything to do with it, obviously I should never have destroyed any such paper as that.

Mr. STRIPLING. Now, Mr. Hutton, you have already referred to the fact that you were aware of the Communist aspect of this case, but, as a result of your examination of Mr. Eisler and his wife—and, by the way, how long did you examine them?

Mr. HUTTON. I subjected Mr. Eisler and his wife to a number of very searching, careful inquiries. Before the case came to me I knew what I was to be faced with. I had prepared in my own mind an outline of the questions that I would ask him. As I stated previously, I supposed I would have to determine his admissibility as an immigrant.

Now, fortunately, I took certain notes, and the notes have been sent up from Mexico City. I believe I could probably answer your question on the basis of these notes.

I have lost the question, Mr. Stripling, and I wish you would ask it again.

Mr. STRIPLING. I wish you would look through your notes and give the committee any information you have there regarding the question of political affiliation.

Mr. HUTTON. I have here two papers, the first of which was prepared before Mr. Eisler had appeared at the consulate general. Having looked over this paper, I now conclude that I had prepared this for the knowledge of Ambassador Daniels, of the case. And Ambassador Daniels had apparently received the letter from Mr. Donald Stephens.

As is the case in many offices, the Ambassador frequently asks the officer handling visa work to discuss a case with him and to tell him the salient points involved.

Mr. STRIPLING. Did Mr. Ambassador Daniels call you in about this case?

Mr. HUTTON. I could not say that he did; but since I have prepared a memorandum for his information, he unquestionably spoke to either me or someone else in the consulate general about the case. Otherwise, I would not have prepared this memorandum.

Mr. STRIPLING. Do you remember whether he indicated the visa should be issued?

Mr. HUTTON. No; he did not. I can say almost definitely in this case, because the man had not applied.

Mr. STRIPLING. Had not applied?

Mr. HUTTON. Had not applied at the time this was prepared.

Mr. STRIPLING. Well, did Ambassador Daniels communicate with you at any other time about this case?

Mr. HUTTON. Not to my knowledge, about this case.

Mr. STRIPLING. You go ahead, then, and recite from your notes the questions of a political nature that you asked Mr. Eisler.

Mr. HUTTON. There are a few indications here of his answers to specific questions. I think perhaps I may find one or two, however. Most of the notes were prepared for other purposes.

Here is one place, however, that Mr. Eisler states something of interest.

This is not, incidentally, in the memorandum that I prepared for the Ambassador. This statement is made in notes that I prepared

for my own use. And, incidentally, I may say that I have the sentence here, "The following facts were obtained from Mr. Eisler under oath." He states that he was not directly or indirectly connected with political or other activities beyond his musical work during the entire time that he was in Europe, and he adds parenthetically that he has never been connected with the various political causes, other than anti-Nazi, with which his name is associated in the United States, or elsewhere. That is one of the answers that might answer your question.

I don't know that I can find anything else, without going over this for some time.

Mr. STRIPLING. You will state, however, that to the best of your recollection you questioned him thoroughly on the point of his political affiliations?

Mr. HUTTON. I certainly did, and I would go beyond that and I can state with every assurance in the world—reasonable assurance in the world—that I asked him specifically if he was a member of, was directly or indirectly affiliated with, or otherwise connected with, any of the organizations as listed in the latter part of the Manual of Visa Regulations in the Department of State files.

Mr. STRIPLING. Now, Mr. Hutton, as I understand it, the issuance of a visa is entirely within the province of the consul officer; is that right?

Mr. HUTTON. That is right.

Mr. STRIPLING. The Ambassador is not in charge of that, is he?

Mr. HUTTON. No.

Mr. HUTTON. It is entirely within the province of the officer who are the consul officer?

Mr. HUTTON. It is entirely within the province of the officer who is in charge of the office.

Mr. STRIPLING. You were that person, or Stewart was that person?

Mr. HUTTON. Mr. Stewart obviously could override any action that I took.

Mr. STRIPLING. The point I am making is this: Does the Ambassador to a foreign country have the authority to rescind or cancel the action of a consul officer?

Mr. HUTTON. He certainly does not.

Mr. STRIPLING. On a visa?

Mr. HUTTON. He does not.

Mr. STRIPLING. He does not?

Mr. HUTTON. No.

Mr. STRIPLING. Then, why did you prepare a memorandum for the Ambassador in this case, Ambassador Daniels?

Mr. HUTTON. Apparently for his edification, to permit him to know what the case was all about so he could answer intelligently the letters that had obviously been written to him.

I know of two instances in which letters were written to him, as borne out by the file in the case. There may have been others.

Mr. STRIPLING. You recall two instances?

Mr. HUTTON. I don't recall them. I saw them in the file.

Mr. STRIPLING. Did those cases have anything to do with people whose political activity was under suspicion—that is, their Communist activity?

Mr. HUTTON. These were two letters to the ambassador—

Mr. STRIPLING. Let's—

Mr. HUTTON. From people interested in Eisler.

Mr. STRIPLING. Let me ask you this: Did Ambassador Daniels ever call you in regarding the issuance or your refusal to issue a visa to a person who was suspected of Communist activity and who applied for a visa?

Mr. HUTTON. Yes.

Mr. STRIPLING. He did?

Mr. HUTTON. Yes.

Mr. STRIPLING. And what was the nature of this conversation with you when he called you in? Did he object to your issuing visas?

Mr. HUTTON. I have never been held to account, so to speak, for having issued a visa, until my present appearance at this committee.

Mr. STRIPLING. You have never been held to account?

Mr. HUTTON. For having issued a visa. It has always been because of having refused to issue a visa.

Mr. STRIPLING. Because of having refused one?

Mr. HUTTON. Correct.

Mr. STRIPLING. Did Ambassador Daniels call you in because you had refused to issue certain visas?

Mr. HUTTON. He called me in on a number of occasions—

The CHAIRMAN. Let us get down to this case now.

Mr. HUTTON. Yes, sir; he did—he has—

The CHAIRMAN. He did?

Mr. HUTTON. He has called me in because I objected to the issuance of visas.

Mr. STRIPLING. In the case of people who were suspected of Communist activities?

Mr. HUTTON. That is correct.

Mr. STRIPLING. Now, Mr. Chairman, the reason I have questioned the witness along those lines is because in the memorandum which Mr. Messersmith asked for, on April 22, 1939, signed by Mr. Warren, as to why the case was transferred from Habana, Cuba, to Mexico City, point No. 4 was:

The interested persons may believe that they can bring greater pressure to bear on the consulate general at Mexico City, possibly through Ambassador Daniels, than they have been able to bring to the consulate general at Habana through the Department.

Mr. HUTTON. I think—if I may interject something, Mr. Chairman—the conclusion of Mr. Stripling is not correct. The record will show—

The CHAIRMAN. He isn't making any conclusion.

Mr. STRIPLING. I am not making any conclusion. I am making an observation.

The CHAIRMAN. He is just reading from the letter.

Mr. HUTTON. The record will show, Mr. Chairman, that Eisler after having come to Mexico and after having run into several stumbling blocks in connection with his application for an immigration visa, decided to go back—I won't say to go back, but to proceed to Habana, as had been his original intention. Presumably, it was on the theory that he could get a visa more easily there, the kind of visa he wanted more easily in Habana than he could in Mexico. It is another instance,

apparently—you see—all this kind of people shopping around to try to find a consul who is weak or who will give visas without thorough examinations.

The CHAIRMAN. All right.

What was Ambassador Daniels' interest in this case? First of all, you said he received two communications. Who were those communications from?

Mr. HUTTON. One of those communications was from a man named Julien Bryan.

The CHAIRMAN. What was his name?

Mr. HUTTON. Julien Bryan.

The CHAIRMAN. Julien Bryan.

Mr. HUTTON. The other one was from Mr. Donald Stephens.

That is shown in the record. There may have been other communications, I don't know.

The CHAIRMAN. And then, when Mr. Ambassador Daniels got those two communications, he called you in. What was the nature of the conversation you and Ambassador Daniels had?

Mr. HUTTON. I cannot recall it, Mr. Chairman. I don't even know that he called me in. He certainly evinced an interest in the case or referred the letter to me or spoke to someone, either me or someone else in the office over the telephone—in other words, there was some communication between us or I should not have prepared a memorandum for his use, that I never sent him. It so happens that for some reason that is not clear to me now I never sent him the memorandum, indicating that he apparently lost interest.

The CHAIRMAN. You might identify Julien Bryan for the record at this point.

Mr. STRIPLING. Beg pardon?

The CHAIRMAN. You might identify Julien Bryan for the record, because I think this is the first time that that name has appeared in this case.

Mr. STRIPLING. Yes. I have the record of Mr. Julien Bryan, Mr. Chairman, as reflected by our file. I prefer to put the record in.

The CHAIRMAN. All right. Would you see that it is placed in the record at this point.

Mr. STRIPLING. Yes.

On July 5, 1939, Ambassador Daniels wrote Mr. Julien Bryan as follows:¹⁰⁵

MY DEAR MR. BRYAN: I have received your letter of June 23, 1939, and have noted your interest in the case of Mr. Hanns Eisler who, you state, is now in Mexico City and proposes to apply for an immigration visa.

I am informed by the American consul general who, under the law is charged with the responsibility for determining Mr. Eisler's eligibility to receive a visa for the United States, that he has not as yet made application for such a document. In the circumstances and until there shall have been an opportunity for his case to be thoroughly examined in the light of pertinent provisions of the immigration laws upon his personal application, it would seem premature to make any comments on it. I shall, nevertheless, be glad to see Mr. Eisler if he feels that any purpose would be served by calling on me, and I can assure you that should he apply for a visa, his case will receive every proper consideration by the American consul general.

With kindest regards, I am,

Sincerely yours,

JOSEPHUS DANIELS, *American Ambassador.*

¹⁰⁵ See appendix, p. 193, for exhibit 121.

Now, Mr. Hutton, I have here a letter dated July 24, 1939, from the files of the Department of State, signed by R. Walton Moore, to James B. Stewart, Esq., American consul general, Mexico, D. F., Mexico.¹⁰⁶

SIR: Reference is made to the immigration cases of Mr. Hanns Eisler and his wife, who were at one time in communication with the consulate general at Habana—

Do you have a copy of that strictly confidential instruction of December 23, 1938, to the consulate general at Havana?

MR. HUTTON. I have no copy of it. But you have, yourself, I think.

MR. STRIPLING. You think we have it?

MR. HUTTON. I am sure that I heard that yesterday; yes.

MR. STRIPLING. You don't consider that to be an instruction, however?

MR. HUTTON. As I said before, all communications going to the field, other than certain telegrams and so forth, are referred to as instructions. That word is a misnomer.

MR. STRIPLING. You don't have a copy of that?

MR. HUTTON. I haven't a copy. I think you have.

MR. RANKIN. Mr. Stripling, I would like for you to further identify this fellow Julien Bryan.

MR. STRIPLING. Yes, sir.

MR. RANKIN. I would like to know who he is.

MR. STRIPLING. I would be glad to put it in the record in a few moments.

MR. RANKIN. All right. Thank you.

MR. STRIPLING. Now, on September 11, 1939, Mr. James B. Stewart, American consul general—and I assume he was your superior, was he not?

MR. HUTTON. That is correct.

MR. STRIPLING. Addressed a letter to the Secretary of State. It says:¹⁰⁷

SIR: I have the honor to refer to the Department's instruction of July 24, 1939 (file No. 811.111, Eisler, Hanns), and to previous correspondence concerning the immigration visa cases Hanns (Johannes) and Luise Eisler and to advise that following the failure of the aliens to establish their eligibility for immigration visas under section 4 (d) of the act of 1924, they requested passport visas to enable them to visit the United States for about 2 months in connection with certain matters of a business nature, and that having satisfactorily established their admissibility as visitors they were issued nonimmigrant visas on September 7, 1939, under section 3 (2) of the act of 1924.

Are you the officer who issued the visitor's visa on September 7, 1939?

MR. HUTTON. I am.

MR. STRIPLING. For a period of 2 months?

MR. HUTTON. The visa that I issued was issued on the basis of his statement that he proposed to remain in the United States for 2 months.

MR. STRIPLING. How long did he remain?

MR. HUTTON. I beg your pardon?

MR. STRIPLING. How long did he actually remain in the United States?

MR. HUTTON. It now appears from the record that he remained in the United States for over 1 year.

¹⁰⁶ See appendix, p. 193, for exhibit 119.

¹⁰⁷ See appendix, p. 193, for exhibit 122.

Mr. STRIPLING. Although you issued him a visa to visit here on business for two months?

Mr. HUTTON. According to his statement under oath he intended to stay for 2 months at the time he made application.

Mr. STRIPLING. Did he ever make application for an extension of the visa which you issued?

Mr. HUTTON. He would not make such application for extension to me.

Mr. STRIPLING. Do you know whether such an application was made?

Mr. HUTTON. It obviously was because he remained far beyond the 2-month period.

Mr. STRIPLING. Did he receive an extension?

Mr. HUTTON. I have no personal knowledge of that, but obviously he did—apparently he did. At least, I have no reason to believe that he remained in the United States beyond the period of his permitted entry.

Mr. STRIPLING. Were you aware that a warrant of deportation was issued against him?

Mr. HUTTON. Pardon me?

Mr. STRIPLING. Were you aware that a warrant of deportation had been issued against Mr. Eisler?

Mr. HUTTON. Yes. I am not sure that I was aware of it at the time the warrant was issued. As a matter of fact, I don't think I was aware of it.

Mr. STRIPLING. What file would reflect whether or not the extensions were granted?

Mr. HUTTON. The file in the Department of Labor would indicate whether the extensions were granted.

Mr. STRIPLING. Mr. Chairman, I ask that Mr. Savoretti be called to the stand with Mr. Hutton.

The CHAIRMAN. Mr. Savoretti, will you take the stand, please?

STATEMENT OF JOSEPH SAVORETTI—Resumed

Mr. RANKIN. Mr. Chairman, I think the information on this Julien Bryan should be read into the record at this point.

Mr. STRIPLING. All right, Mr. Chairman.

The CHAIRMAN. It is so ordered. Read it into the record.

Mr. RANKIN. I will ask Mr. Stripling to read it into the record at this point.

Mr. STRIPLING (reading):

Soviet Russia Today, May 5, 1936, page 5, contains photographs by Julien Bryan. This publication was cited as "a mouthpiece of the Communist Party" in the June 25, 1942, report of the Special Committee on Un-American Activities (p. 21) as a Communist front in the committee's report on March 29, 1944.

The Daily Worker of May 6, 1937, page 5, lists Julien Bryan as a lecturer for New Masses, which Attorney General Biddle cited as a "Communist periodical" and the Special Committee on Un-American Activities cited as a "Communist front * * *" on a number of occasions. It is one of the official organs of the Communist Party.

Several sources list Julien Bryan as a guide or tour conductor to the Soviet Union and as having lectured on the Soviet Union. (See Daily Worker, May 1, 1937, p. 6, and April 5, 1937, p. 7; and New Masses, March 16, 1937, p. 29.)

Julien Bryan's name also appears as a leader of a seminar in the Intourist Bulletin, March 1, 1939, page 3. Intourist Bulletin was a publication of Intourist, Inc., the Soviet State Tourist Co.

There are other references here, Mr. Chairman, to various testimony concerning him in the hearings. If you would like it read into the record, I would be glad to do so.

The CHAIRMAN. Do you want any more of it read, Mr. Rankin?

Mr. STRIPLING. I think that is sufficient to identify him.

Mr. RANKIN. I think that is sufficient to establish his identity as a Communist from my viewpoint, but I think if any members have any doubt about it, we might read the rest of it. Whether it is read or not, I think the rest of the material should go in the record.

The CHAIRMAN. Mr. Stripling, put it all in the record at this point. Never mind reading any more.

(The balance of the report above referred to is as follows:)

Volume 1 of the Public Hearings of the Special Committee on Un-American Activities contains a reprint of a great deal of evidence submitted by Mr. Walter Steele in connection with his testimony before the committee on August 17, 1938. This material contains the following reference to a speech on Russia made by Julien Bryan:

"The United Farmers' League is a section of the International Peasant Council of Moscow. It was organized in the United States in 1926. It is active in farm strikes. Alfred Taile, secretary of the league, has an extensive jail record for his agitational activities and leadership of mass resistance of farmers in the Middle West. Its organ is the United Farmer. The league was merged with the Farmers' National Committee for Action at a national convention held in Chicago in 1933.

"A Call to Action' was issued to farmers asking them to 'unite their fight.' Russian farmers were described in glittering terms by Julien Bryan in a lecture on Russia. Clarence Hathaway of the New York Bureau of the Communist Party addressed this 'united front' congress. Fifty-nine farmers' organizations were reported represented, but the Communists edged in the Communist Party, the (Communist) Labor Sports Union, the Young Communist League, the Young Pioneers, the United Farmers' League, the Communist Unemployed Councils, the Share-croppers Union, and scores of State committees of action, quickly organized by them in order that they might assure the Reds control.'

In addition to the above references to Julien Bryan, the following on Julien Bryan are found:

Photographs by Julien Bryan appeared in the Daily Worker on April 14, 1936, page 5 and March 31, 1936, page 5.

In volume 1 of the Public Hearings of the Special Committee on Un-American Activities, a reference to Julien Bryan appears in the evidence submitted by Mr. Steele, in connection with his testimony on August 17, 1938. The following paragraphs appear:

On June 4, 1936, the Washington Times editorially criticized the production of "Communist approved films" by the March of Time. The pictures were said to have been photographed in Russia by Julien Bryan, a professional lecturer on Soviet Russia, and a member of the national committee of the Communistic Friends of the Soviet Union in 1933.

Bryan gave an illustrated lecture at Washington Irving High School in New York, May 15, 1936, under the auspices of Soviet Russia Today, the organ of the Friends of the Soviet Union, a communistic movement headed by Corliss Lamont, son of the partner of Morgan, the Wall Street banker (public hearings, p. 541).

Mr. RANKIN. Mr. Hutton, you said that Julien Bryan communicated with you in this case?

Mr. HUTTON. He communicated with the Ambassador.

Mr. RANKIN. That is, Josephus Daniels, I presume?

Mr. HUTTON. Yes.

Mr. RANKIN. And Josephus Daniels was sympathetic toward getting Eisler into the country, was he?

Mr. HUTTON. I could not say that.

Mr. RANKIN. But Daniels communicated that information to you?

Mr. HUTTON. He apparently referred the case to me. As a matter of fact, my initials appear on that letter to Mr. Bryan.

Mr. RANKIN. That was after this man Julien Bryan had intervened in Eisler's behalf?

Mr. HUTTON. The letter to Bryan was obviously referred to me. My initials appear on the letter which the Ambassador signed.

Mr. RANKIN. You mean the letter from this Julien Bryan, Communist Julien Bryan, was referred to you by Ambassador Daniels?

Mr. HUTTON. The letter from Mr. Daniels was referred to me.

Mr. RANKIN. Did you at the time know of his affiliation with these Communist front organizations and his Communist activities in this country?

Mr. HUTTON. I can say quite honestly that to the best of my knowledge the name Julien Bryan meant no more to me then than it means to me now.

The CHAIRMAN. I would like to say to the gentleman from Mississippi that I doubt if we have anything in our files that proves that Julien Bryan is a Communist. We do have in our files the associations that have been referred to here today. I am not defending Julien Bryan. I just want to say for the record that we haven't got anything in our files to prove he is a Communist.

Mr. RANKIN. I will say to the gentleman from New Jersey, the chairman, that you don't need any more than that report just read by Mr. Stripling.

The CHAIRMAN. The gentleman from Mississippi is entitled to his own opinion.

Mr. RANKIN. I certainly have that opinion—a man going around representing all of the Communist-front organizations in the country, and probably getting paid for it, he is either a Communist or one of their tools.

Mr. STRIPLING. Mr. Chairman, in connection with the identification of the people who have been mentioned here, it was brought out in the hearing of day before yesterday that Donald Stephens was the individual who went to Mrs. Roosevelt, who turned the material over to Mrs. Roosevelt, which material she in turn turned over to Mr. Welles. There are several letters in the files from Mr. Stephens written on the letterhead of the National Arts Club. We have checked his name through the passport records of the State Department. He gives his residence as Arden, Del.; born April 30, 1887; calls himself "secretary" and "teacher" of Philadelphia, Pa.; gave his address, as late as 1945, as National Arts Club; he was in Russia for undisclosed reason in August 1926 and August 1927.

Now, Mr. Savoretti, will you look in the file and give the committee the facts on the extensions to the visitor's visa which Mr. Hutton granted Mr. Eisler on September 7, 1939, for a period of 2 months. Mr. Hutton has stated that he remained in the United States over a year. Does the file reflect just how long he remained here?

Mr. SAVORETTI. On January 26, 1940, Eisler submitted an application to have his temporary stay extended. He stated in that application that the reason he wanted a stay, a continuance of his stay, was to complete immigration application to American consul to reenter

on nonquota status as a professor. That application was submitted to the port of entry, as required by the rules. The district office in San Antonio finally submitted the application to Washington stating:

This case is submitted to you for decision as to the granting of extension due to the fact that the applications—

including Eisler's wife—

were received by this office after the expiration of the period for which the aliens were admitted and for the further reason that they do not appear meritorious.

It appears that these aliens entered this country as visitors some time prior to April 1939 and requested an extension at that time. They departed to Mexico via this port on April 12, 1939. The previous entry was at New York and it is contained in Ellis Island file no.—

so and so.

The case was considered by the central office of the Immigration and Naturalization Service on February 21, 1940, and an order was signed by the Assistant to the Secretary of Labor to the effect that a further stay be denied, the aliens to be instructed to depart forthwith.

If you wish I will read the record in its entirety as to the reasons for the denial.

Mr. STRIPLING. Yes; read them.

Mr. SAVORETTI. The record relates to—

a 42-year-old married male musician, native of Germany, and his 33-year-old wife, native of Austria, both residents of Mexico, German race, who were admitted to the United States at Laredo, Tex., on September 11, 1939, as visitors for a period not to exceed January 28, 1940.

A résumé of this case discloses that at time of entry they were in possession of a valid certificate issued by the Mexican Government permitting their reentry to Mexico on or before April 22, 1940.

Aliens are now requesting an extension of 3 months in order to complete immigration application to American consul to reenter this country as nonquota immigrants.

The necessity for remaining in the United States for the reason given is not apparent as such applications for immigration visas must, of necessity, be filed with an American consul outside of the United States. Furthermore, if these aliens fail to leave this country on or before the expiration date of this permit to return to Mexico they will be without documents to proceed to any country.

It is ordered that the request for a further stay be denied, the aliens to be instructed to depart forthwith.

Mr. STRIPLING. That is dated when?

Mr. SAVORETTI. That is dated February 21, 1940, and was transmitted to the field office at San Antonio on the date of February 27, 1940.

Mr. STRIPLING. Now, did they receive the 2 months' visitor's visa on September 3, 1939? They were in the United States in October, November, December, January, and then in February they requested an extension, in the latter part of January?

Mr. SAVORETTI. That is right.

Mr. STRIPLING. They were ordered deported in February?

Mr. SAVORETTI. Not ordered deported.

Mr. STRIPLING. Ordered to leave?

Mr. SAVORETTI. That is right.

Mr. STRIPLING. Did they leave?

Mr. SAVORETTI. Ordered to leave "forthwith."

Mr. STRIPLING. Did they leave?

Mr. SAVORETTI. I would like to read a memorandum on that that is dated June 8, 1940, by the man who was then handling visa extensions that was directed to our warrant division:

A report from the San Francisco office indicates that these aliens have made no effort to leave the country. The case is being forwarded to you for whatever action you may wish to take.

And on July 17, 1940, the Chief of the Warrant Division of the Immigration Service issued a warrant of arrest in deportation proceedings against Hanns or Johannes Eisler and wife, Louisa Eisler, on the ground that they had remained in the United States for a longer period of time than permitted under the terms of their admission.

Mr. STRIPLING. Was that warrant ever served or enforced?

Mr. SAVORETTI. The warrant was sent to New York, where we understood the aliens were living, for service. On October 12, 1940, one of our investigators reported to the district head of the New York office:

The above-named aliens could not be found at 39 West Seventy-fourth Street, New York City, as they have moved. The janitor of this building stated that their present address is Clearview Farm, Quakertown, Pa.

The warrants were thereupon sent to our district office in Philadelphia by the New York office, under date of August 15, for service. The investigator of the Philadelphia office learned that the aliens had proceeded to 2738 Outpost Drive, care of Page, Hollywood, Calif.

The CHAIRMAN. Care of who?

Mr. SAVORETTI. Care of Page—P-a-g-e.

Mr. STRIPLING. Was the warrant forwarded to California?

Mr. SAVORETTI. The warrant was forwarded to the district office in Los Angeles, Calif., under date of September 23, 1940. Later on, the record shows, that the aliens did leave the United States, prior to the service upon them.

Mr. STRIPLING. The warrant was never issued?

Mr. SAVORETTI. It was issued, but never served upon the aliens.

Mr. STRIPLING. Issued but never served. In other words, Mr. Hutton, they requested of you a visitor's visa for a period of 2 months to attend to business. Do you recall this request—the reasons for it?

Mr. HUTTON. I cannot recall it, but it is in the record.

Mr. STRIPLING. It was convincing enough to you that you gave it, even though you had suspicions of their Communist activities?

Mr. HUTTON. I gave them a visitor's visa because I felt that they could meet the standards of admissibility for nonimmigrants on the basis of their sworn testimony that they intended to proceed to the United States for not over 2 months—speaking now from memory, from having refreshed my memory, rather, from the files—in order to proceed to the United States for not over 2 months to attend to personal and private matters in New York. I believe that one of the reasons for entry had to do with Mr. Eisler's desire to discuss certain publications of his with the Oxford University Press. I am not sure of the name of that.

The CHAIRMAN. I don't think that answers the question.

Mr. STRIPLING. I am going to develop the point, Mr. Chairman.

The CHAIRMAN. When a question is specific, we want a specific answer.

Mr. STRIPLING. In other words, do you consider that Mr. and Mrs. Eisler applied in good faith if they remained in the United States over a year when they told you that they wanted to come to the United States for 2 months?

Mr. HUTTON. I do not now consider that they applied in good faith.

Mr. STRIPLING. And a warrant was issued for their deportation?

Mr. HUTTON. That is correct.

The CHAIRMAN. Let me ask this question: You were suspicious of their Communist affiliations, were you not?

Mr. HUTTON. I suppose that is one way of putting it.

The CHAIRMAN. In view of the fact that you were suspicious of their Communist affiliations why did you permit them to come into the United States?

Mr. HUTTON. That is a different aspect of the case, Mr. Chairman, and I am prepared to take that up, if it is so desired.

The CHAIRMAN. Would it be customary for you to permit someone to enter the United States if you were suspicious of their Communist affiliations?

Mr. HUTTON. Not if I thought that they were actually Communists. I had no choice but to consider this case on the basis of the evidence in front of me and all of the factors that surrounded the case and on consideration of all of these factors I reached the conclusion that they could meet the usual standards of admissibility insofar as concerned their political orientation.

The CHAIRMAN. You were suspicious of their Communist affiliations?

Mr. HUTTON. Yes, sir. I was also—I don't know that "suspicious" is the correct word.

The CHAIRMAN. You were certain of their Communist affiliations?

Mr. HUTTON. No, sir; I was not, or I should not have issued the visa.

The CHAIRMAN. You were suspicious of their Communist affiliations?

Mr. HUTTON. There was a strong suspicion all through this case.

The CHAIRMAN. And you let them come in just the same?

Mr. HUTTON. Yes, sir.

Mr. McDOWELL. Didn't you testify that you were instructed to disregard the Communist aspect?

Mr. HUTTON. No, sir; I did not. I said in my letter to Mr. Alexander that I desired for the time being to postpone consideration of the Communist aspect of the case since that was not a bridge that I thought I would have to cross for at least 2 years or thereabouts.

Mr. McDOWELL. You received no instructions on the Communist angle at all?

Mr. HUTTON. We had available to us information that was received from Habana in the case. That is in the record. I had all of the information that Habana had.

Mr. McDOWELL. What instructions did you receive on July 24, 1939?

Mr. HUTTON. Mr. Stripling read the instructions from the Department of State. That dealt mainly with the nonquota aspect of the case.

Mr. STRIPLING. That is the strictly confidential instructions, Mr. Chairman, which Mr. Messersmith signed and sent to the American consul in Havana, but which was prepared by Mr. Alexander. That is the résumé about which there has been some controversy.

Now, Mr. Hutton, after you issued that visitor's visa, did you have anything else to do with this case of Hanns Eisler?

Mr. HUTTON. I did not. However, I was still concerned about Hanns Eisler. It began to look, after the lapse of some time, as though he had not applied to me in good faith as a visitor. As the records will show, I apparently undertook to communicate with the National Conservatory for Music in Mexico to check up on his status with that organization with a view to determining whether or not he had in fact returned to Mexico. I had no way of knowing when he would come back.

Mr. STRIPLING. Did they reply to your request?

Mr. HUTTON. They must have replied to my request because I have a note in the files indicating that he had not turned up. I will read the note to you, if you desire.

Mr. STRIPLING. Yes.

Mr. HUTTON. This is dated February 9, 1940?

(1) According to best information available at the Conservatory of Music, Hanns Eisler is now in New York City.

(2) The date of his return uncertain.

(3) He left the conservatory 5 months ago having finished his courses there.

(4) Señor Mendoza, a director of the conservatory, declares that further information about Eisler may be had from Señor Halsfer, Madero 32, apartment 306.

Mr. STRIPLING. Did you take any action after you determined that he had not returned to Mexico?

Mr. HUTTON. I did not. There was little action that I could take.

Mr. STRIPLING. Did you notify anyone that he was in violation, so to speak, of the visitor's visa which you granted?

Mr. HUTTON. In the case of a person like Eisler it would not be necessary to. I realized that the Department of Labor was well aware of who he was, and all of the circumstances in his case.

Mr. STRIPLING. Mr. Hutton, would you tell me whether or not you were aware, or are you now aware, that a visa was issued to Mr. Eisler at Mexicali, Mexico, by Mr. Meyers?

Mr. HUTTON. That has been brought out in the record. I had no personal knowledge.

Mr. STRIPLING. In the record? Is that in the record which you examined?

Mr. HUTTON. In the record of the testimony that was taken yesterday.

Mr. STRIPLING. Yes; but did you find anything in the record of the State Department that Mr. Meyers had issued a visa?

Mr. Chairman, the reason I bring this point up is that because in the documents which we subpoenaed from the State Department—and we asked for the entire file, although I am fully aware that they didn't give us the entire file—there is nothing in the file to indicate that a visa of entry was issued by a State Department official, namely, Mr. Meyers whom Mr. Littell referred to as "a sleepy consular officer" yesterday.

Mr. HUTTON. Mr. Chairman——

The CHAIRMAN. Just a minute. I would like to ask, when we asked for this file did we subpoena it?

Mr. STRIPLING. We did; yes, sir.

The CHAIRMAN. We subpoenaed it, the subpoena called for the whole file?

Mr. STRIPLING. It did.

The CHAIRMAN. And there was nothing in that file that mentions Mr. Meyers?

Mr. STRIPLING. I have seen no reference to it, nor has Mr. Russell, who also examined it.

Mr. HUTTON. Mr. Chairman, I think I can explain that matter. You subpoenaed the departmental file, as I understand it. You received every piece of information in the departmental file. I have before me a copy of the letter that was sent to this committee on February 20, 1947, the last paragraph of which reads as follows:

If you desire to examine the files of any other consular office with respect to this matter, the Department will promptly request that such files be forwarded.

You did not subpoena the file from Mexico City nor in Habana, nor in Mexicali.

The CHAIRMAN. Wouldn't the file in the State Department here be so complete that it would mention the situation as regards to Mexicali?

Mr. HUTTON. No, sir; not necessarily. I see no reason why that would appear in the departmental file.

Mr. STRIPLING. Well, the file mentioned Mexico City, it has many papers in connection with Habana, many papers in connection with the case up here in the United States, and not one communication referring to Mexicali or Mr. Meyers.

Mr. HUTTON. There is in this same letter—perhaps I should read the whole letter to you, Mr. Chairman.

The CHAIRMAN. Go ahead.

Mr. HUTTON (reading):

FEBRUARY 2, 1947.

MY DEAR MR. THOMAS: In response to your summons to produce "all materials contained in the files of the Department of State pertaining to the matter of Hanns Eisler, including applications for passports, visas, and related matter, as well as any and all correspondence pertaining thereto," I have caused a diligent search to be made of the files of the Department. Accordingly I transmit herewith the following:

(1) Photostatic copies of the files of the Department of State relating to the visa applications and related matters and all correspondence and memoranda pertaining thereto in the case of Hanns (Johannes) Eisler.

(2) A photostatic copy of the file in the office of the consul at Mexicali, Lower California, relating to the immigration visa which was issued to Johannes Eisler on September 29, 1940.

I think that answers your question.

Mr. STRIPLING. But there is no evidence in the file concerning it—no documents.

Mr. HUTTON. I am not in a position to answer that question. I can continue with the letter.

The CHAIRMAN. Then you say that we did not receive any communications in connection with Mexicali?

Mr. STRIPLING. That is right. Now, I think we can get the information from Mr. Savoretti, however.

The CHAIRMAN. All right, proceed with Mr. Savoretti.

Do you have anything you want to say further?

Mr. HUTTON. I was going to say that that letter shows you received a photostatic copy of the file of the office of the consul in Mexicali.

Mr. STRIPLING. We will be glad to make another search, but I haven't seen such a communication, and Mr. Russell, who examined the file, not once, but many times, has never seen such a communication. I do not mean to infer that it is not definitely in there, because it could be. We were not aware of it.

That is all the questions I have of Mr. Hutton.

The CHAIRMAN. Does the committee have any questions of Mr. Hutton? Mr. McDowell.

Mr. McDOWELL. No.

The CHAIRMAN. Mr. Wood.

Mr. WOOD. No.

The CHAIRMAN. Mr. Rankin?

Mr. RANKIN. No.

The CHAIRMAN. Thank you very much, Mr. Hutton.

(The following letters were submitted for the record:)

WASHINGTON, D. C., September 26, 1947.

The Honorable J. PARNELL THOMAS,

*Chairman, Committee on Un-American Activities,
United States House of Representatives.*

MY DEAR MR. THOMAS: When I provided certain testimony today in the case of Hanns Eisler I sought but found no adequate opportunity, before being excused from the stand, to expand on something I stated that I feel needs clarification. Accordingly, I am addressing this letter to you with the request that, if possible, you kindly arrange to have it put in the record.

You may recall that when I was asked whether I entertained suspicions against Eisler I indicated at one point—and I do not now remember my precise words—that I continued to have suspicions throughout my handling of the case. I was then asked whether, in spite of these suspicions, I did not grant Eisler and his wife visitors' visas and I naturally answered in the affirmative. As the testimony was immediately thereafter directed along another course I do not feel that these replies should be allowed to stand without fuller explanation.

It is obvious that I had suspicions about Eisler regardless of his protestations else I should never have subjected him to the series of lengthy and searching interrogations that I conducted, during at least two of which, I learn from the available files, I had put Eisler under oath. As has already been brought out, I eventually declined to issue him the requested immigration visa as a professor. In considering his subsequent application for a visitor's visa, despite the further thorough examination to which I subjected him I could uncover nothing of an adverse nature that had not already been the subject of investigations by another branch of the United States Government including, according to Eisler's sworn statement, a lengthy one held at Ellis Island on the occasion of his last entry. I was thus in effect covering ground that I had reason to know had already been gone over at least once before by authorities of our Government who had facilities for investigation, presumably including the opportunity of obtaining documents, calling witnesses, and looking up records, that were certainly not available to me.

Actually the case of Eisler had altered in his favor with the elapse of time. The Department of State had called attention in two instructions concerning his case to a possible connection between it and the case of Joseph Strecker, on whom, as has already been brought out in testimony, the Supreme Court had recently rendered a favorable ruling. In addition, as has also already been brought out, a great many letters had recently been written in Eisler's behalf, including some from persons of prominence. As I then had no reason to believe that any of these letters emanated from other than responsible and presumably patriotic United States citizens, such letters were naturally given some weight as character evidence tending to vindicate the findings implicit in the failure of our Government on previous occasions to act on the old charges against Eisler.

I believe, Mr. Chairman, that in view of all of the foregoing it will be apparent why, in spite of such lingering suspicions as I may have held against Eisler, I nevertheless could find no solid basis for refusing a visitor's visa.

I might call attention, as of incidental interest, to the fact that the records of neither the board of inquiry held in September 1940 at Calexico nor the review of the board's findings when the case was appealed to Washington reveals that the political aspect of Eisler's case was even mentioned in the judgments rendered.

Respectfully yours,

P. C. HUTTON.

Subscribed and sworn to before me this 29th day of September, 1947.

[SEAL]

HARRIETTE E. SPALDING, *Notary Public*.

My commission expires March 31, 1949.

DEPARTMENT OF STATE.

Washington, September 30, 1947.

HON. J. PARNELL THOMAS,

Chairman, Un-American Activities Committee, House of Representatives.

MY DEAR MR. THOMAS: My attention has been called to the fact that some doubt was raised by members of your committee and by its counsel during the hearings conducted during the past few days in the matter of Hanns Eisler with respect to whether this Department fully complied with the terms of your subpoena requiring the Department to produce certain papers in its files regarding Mr. Eisler. This doubt, it appears, relates to a departmental confidential instruction dated December 23, 1938, and to certain papers in the files of the consulate at Mexicali, Lower California.

I believe that the doubt entertained by members of your committee in the first respect may arise from a misapprehension of the term "instruction" as used in the Department of State. For your information, every written communication other than a telegram, airgram, or operational memorandum which emanates from the Department of State and is directed to officers in the field is called an "instruction," while every similar communication from the field to the Department is called a "despatch."

The document dated December 23, 1938, to which you refer was one of the photostatic documents delivered to your committee by special messenger under transmittal letter signed by me and dated February 20, 1947. I understand that in fact the document in question has been admitted in evidence in the open hearings in this matter.

While your committee's subpoena called only for the production of papers in the files of the Department of State, I undertook on February 20, 1947, to transmit to your committee as well as the photostatic copies of the entire file in this matter at Mexicali. This file was requested by the Department from the consulate at Mexicali for this special purpose, since it appeared from the files of the Department that the immigration visas under which Mr. and Mrs. Eisler entered the United States were issued at Mexicali.

You will note from the transmittal letter dated February 20, 1947, a copy of which is sent you herewith, that photostatic copies of that file were delivered to your committee at the same time as the departmental documents which were subpoenaed.

I trust that this clears up entirely any doubts you may have in this regard. Should you have any further question with respect to this subject I hope that you will communicate with me. It would be appreciated, in view of the present state of the record, if you would include this communication as part of the record or take such other action as will correct the record in this regard.

Sincerely yours,

JOHN E. PEURIFOY, *Assistant Secretary*.

FEBRUARY 20, 1947.

HON. J. PARNELL THOMAS,

*Chairman, Un-American Activities Committee,
House of Representatives.*

MY DEAR MR. THOMAS: In response to your summons to produce "all material contained in the files of the Department of State pertaining to the matter of Hanns Eisler, including applications for passports, visas, and related matter

as well as any and all correspondence pertaining thereto," I have caused a diligent search to be made of the files of the Department. Accordingly, I transmit herewith the following:

1. Photostatic copies of the files of the Department of State relating to the visa applications and related matters and all correspondence and memoranda pertaining thereto in the case of Hanns, also known as Johannes, Eisler.

2. A photostatic copy of the file in the office of the consul at Mexicali, Lower California, relating to the immigration visa which was issued to Johannes Eisler on September 29, 1940.

3. No record has been found in the Department of any passport application in the name of this person.

If you desire to examine the files of any other consular office with respect to this matter, the Department will promptly request that such files be forwarded.

Sincerely yours,

JOHN E. PEURIFOY,
Acting Assistant Secretary.

Mr. STRIPLING. Mr. Savoretti, do the files of the Immigration and Naturalization Service reflect that the nonimmigrant visa was issued to Johannes Eisler and his wife?

Mr. SAVORETTI. I have a nonquota——

Mr. STRIPLING. I am sorry, nonquota.

Mr. SAVORETTI. Immigration visa which was presented and surrendered by Eisler at the time of his application for admission on September 25, 1940.

Mr. STRIPLING. Now, who issued that visa?

Mr. SAVORETTI. The visa was issued at the American consulate at Mexicali, Mexico, and bears No. 36, date September 20, 1940, and signed by Willis A. Myers, a vice consul of the United States, and it was valid until March 10, 1941.

Mr. STRIPLING. Now, is there anything in that visa which would require the applicant, Mr. Eisler, to go on record under oath that he was or was not a Communist?

Mr. SAVORETTI. The application for an immigration visa requires any applicant to state that he is not a member of an inadmissible class of aliens to the United States. One of the questions that he must answer is:

Are you a person inadmissible under the provisions of the act entitled, "An act to exclude and expel from the United States all aliens who are members of the anarchistic and similar classes," approved October 16, 1918, as amended by the act approved June 6, 1920.

That question is No. 19.

Mr. STRIPLING. Does that act include the Communist Party?

Mr. SAVORETTI. We have so held, the Department of Labor and the Department of Justice, the act excluded an alien who believes in the overthrow of the Government of the United States by force and violence. The act does not name Communists.

Mr. STRIPLING. But in the administration of the law isn't it true that over a period of time and at the present time if a person is believed by the consulate to be a Communist, or there are definite suspicions that he is communistic, he is inadmissible under this act?

Mr. SAVORETTI. I think that is correct.

Mr. STRIPLING. In other words, here again Mr. Eisler has sworn that he was not a Communist and inadmissible under this act.

In reviewing the file, Mr. Savoretti, how many different times do you think Mr. Eisler has gone on record under oath, from the time he entered the United States in 1935 until and including this date, how many times has he sworn that he was not a Communist or did not believe in the fundamental principles of communism?

Mr. SAVORETTI. I believe in answer to this question appearing on the application which I have just read, and also at the time he was examined by a board of special inquiry subsequent to the issuance of that visa, and at one prior time when an investigation was being conducted to determine whether an extension should be granted to him. At the hearing before the board of special inquiry he was asked the question: "Have you ever been affiliated with the Communist Party in any manner," and his answer was, "No."

Mr. STRIPLING. He either perjured himself then or he did so the other day because he then said he was a member of the Communist Party.

Mr. SAVORETTI. I would say so.

The CHAIRMAN. He admitted he had been a member of the Communist Party for at least 11 months.

Mr. RANKIN. The truth of the business is that there is only one way to get out of the Communist Party and that is to be expelled. They don't permit you to resign, I understand. Under that ruling he is a member yet.

Mr. STRIPLING. I don't think there is anything in Mr. Eisler's record to indicate that he has ever been expelled, Mr. Rankin.

Mr. McDOWELL. There is something in his record which indicates that he is going to get into trouble when he gets back into Russia for saying that he hated Stalin.

Mr. STRIPLING. The issuance of this visa permitted Mr. and Mrs. Eisler to enter at Mexicali?

Mr. SAVORETTI. That is correct.

Mr. STRIPLING. They crossed the border into Calexico, Calif.

Mr. SAVORETTI. That is correct. Let me be more technically correct. They were stopped at the border.

Mr. STRIPLING. Now, I would like for you to remain on the stand and I would like to call Mr. Porter.

Mr. RANKIN. Mr. Stripling, at that point, let me call attention to the fact, whether Mr. Eisler has been expelled from the Communist Party or not, he certainly has followed the Communist line in writing these Communist songs and having them spread before the youth of this Nation through the moving pictures and other sources. In other words, he is serving the Comintern just as effectively today as if he had been an outspoken and announced member of the Communist Party.

Mr. STRIPLING. I don't think there is any question, Mr. Rankin, as the chairman of the International Music Bureau, with headquarters in Moscow, I don't think there is any question but what he would be a party agent.

Mr. RANKIN. I don't either.

The CHAIRMAN. Mr. Porter.

Mr. STRIPLING. Mr. Porter has been sworn.

TESTIMONY OF CLARENCE R. PORTER—Resumed

Mr. STRIPLING. Mr. Porter, will you state your full name again for the record?

Mr. PORTER. Clarence R. Porter.

Mr. STRIPLING. And your present occupation.

Mr. PORTER. Officer in charge of the Immigration and Naturalization Service stationed at the port of entry, Calexico, Calif.

The CHAIRMAN. Will you speak a little louder, please?

Mr. PORTER. Officer in charge of the Immigration and Naturalization Service, stationed at the port of entry, Calexico, Calif.

Mr. STRIPLING. When and where were you born?

Mr. PORTER. Peck, Idaho, January 5, 1904.

Mr. STRIPLING. How long have you been employed by the Immigration and Naturalization Service?

Mr. PORTER. Since 1929.

Mr. STRIPLING. Do you recall Hanns Eisler and his wife applying for admission to the United States?

Mr. PORTER. Yes, sir.

Mr. STRIPLING. With the visa which has just been introduced?

Mr. PORTER. Yes, sir.

Mr. STRIPLING. By Mr. Savoretti?

Mr. PORTER. Yes, sir.

Mr. STRIPLING. Did you examine Mr. Eisler and his wife at that time.

Mr. PORTER. Yes, sir.

Mr. STRIPLING. Tell the committee what steps you took, if any, to admit them or refuse admission.

Mr. PORTER. Mr. Eisler first came to the port of entry on September 20, 1940—

Mr. STRIPLING. September what?

Mr. PORTER. September 20. That was the same date the visa was issued. A preliminary examination of him determined that he had been unlawfully in the United States and, apparently, the subject of deportation proceedings.

As is customary, all known files were sent for at that time. That included, at the time, the Laredo file and the New York file. It was subsequently determined that the New York file was in the Los Angeles district office and we sent for both the Los Angeles file and the New York file. These files were sent air mail and telegraphed for, at Mr. Eisler's request and expense. They arrived on September 25, 1940. An examination of these files disclosed that there might be some doubt as to his admissibility under the status which he claimed.

At that time I prepared the usual manifest form and held him for hearing before the board of special inquiry.

Mr. STRIPLING. You refused to admit him?

Mr. PORTER. Yes, I did.

Mr. STRIPLING. You referred to a manifest. Will you explain to the committee what you mean by "manifest"?

Mr. PORTER. This is the Form 548—at that time—that is required in the preparation of all aliens arriving for permanent entry into the United States over the border. It gives all the technical listings of the known data concerning the alien and his statements, and the

lower corner of it has a block for the disposition of the preliminary inspection, which is either one of two things, either admit or hold him for hearing before the special board of inquiry.

Mr. STRIPLING. Were you the preliminary inspector?

Mr. PORTER. I was.

Mr. STRIPLING. You held him for hearing before the board of special inquiry?

Mr. PORTER. I did.

Mr. STRIPLING. Do you have any other information which you think would help this committee in this investigation?

Mr. PORTER. Well, at the time these remarks were what I put on the back of the card and which give more or less the reason for holding him for hearing.

Mr. STRIPLING. Would you read that into the record?

Mr. PORTER (reading):

* * * Passport No. 4340 issued at New York, March 11, 1940, valid for 1 year. New York file 99328, sub 721, bears letter of October 26, 1935, by the Arizona Peace Officers Association protesting the presence of the applicant in United States due to his Communist associations. This applicant also states that he has been a bona fide professor for the past 2 years and practices his profession, but that in 1938 and the first part of 1939 he was employed on a commission basis.

Mr. STRIPLING. You denied him admission?

Mr. PORTER. I held him for hearing before a board of special inquiry.

Mr. STRIPLING. That is all of the questions I have of Mr. Porter.

Mr. McDOWELL. What was the result of the board of inquiry hearing?

Mr. PORTER. He was excluded by the board of special inquiry at Calxico.

Mr. McDOWELL. He was excluded?

Mr. PORTER. By the board of—

Mr. STRIPLING. May I interrupt? Mr. Savoretti was going to read the proceedings into the record just as soon as Mr. Porter had finished. The proceedings before the board of special inquiry.

Mr. McDOWELL. All right.

The board of inquiry confirmed your judgment. That is what it did?

Mr. PORTER. Yes, sir.

Mr. McDOWELL. Then what happened?

Mr. PORTER. He appealed to the Immigration Board of Appeals.

Mr. McDOWELL. Where did that board sit?

Mr. PORTER. That was sitting in Washington.

Mr. McDOWELL. It was sitting in Washington?

Mr. PORTER. Yes, sir.

Mr. McDOWELL. Then what happened?

Mr. PORTER. His appeal was sustained and he was orderd admitted.

Mr. McDOWELL. When he appealed to the board in Washington, Mr. Porter—would you know the date of that?

Mr. PORTER. He was excluded by the board of special inquiry on September 26, 1940. He appealed—

Mr. RANKIN. Nineteen what?

Mr. PORTER. He appealed that same date.

Mr. McDOWELL. He appealed then?

MR. PORTER. He appealed right there. He has the right of appeal before the board. At that time he can either elect to appeal or not to appeal.

I might explain that the procedure is that the records are sent into the district office at that time for review, and then forwarded to our central office who turns it over to the Board of Review.

MR. McDOWELL. He appealed, then, to the Washington board on September 26, and then what happened?

MR. PORTER. Well, eventually, on October 21, 1940, the board of review authorized his admission for permanent residence and he was finally admitted physically on October 22.

THE CHAIRMAN. Mr. Wood.

MR. WOOD. Was there a hearing before the board of review?

MR. PORTER. That I am not in position to answer. All we received was the telegram authorizing his admission for permanent residence.

MR. McDOWELL. It is assumed that during the period between September 26 and October 22, that he was in Mexicali?

MR. PORTER. He was in Mexicali, unless he got across the line, which we don't believe, because we communicated with him then, as soon as the authorization of the board. He gave us the address of the Commercial Hotel in Mexicali.

MR. McDOWELL. He wasn't in Washington to personally make his appeal before the board?

MR. PORTER. Not to my knowledge. If he was, he was illegally here.

MR. McDOWELL. Did he enter Mexicali from Calexico?

MR. PORTER. Yes, sir. He checked out of the port of departure on September 19, 1940.

MR. McDOWELL. Would you mind if I saw that card?

MR. PORTER. No, sir.

(The card was handed to Mr. McDowell.)

MR. McDOWELL. I see here a note in ink—everything else is, apparently, in typewriting: "Received telegram of 10/21/40. N. E. Kitter, Chairman. Authorize admission for permanent residence. Physically admitted."

That notation was made by you, Mr. Porter?

MR. PORTER. No, that was made by Mr. Kitter, the chairman of the Board of Special Inquiry.

MR. RANKIN. By whom?

MR. PORTER. Kitter.

MR. McDOWELL. That was the board that sat at Calexico?

MR. PORTER. Yes, sir.

MR. McDOWELL. How is that made up?

MR. PORTER. Three members, usually two immigrant inspectors, one of whom acts as chairman, and a stenographer, who is also authorized to act as a member of the board of special inquiry.

MR. McDOWELL. After you received this wire admitting Eisler, you had nothing further to do with this?

MR. PORTER. That is all we had to do with it.

MR. McDOWELL. I would like to note to the committee that Mr. Porter, to my way of thinking, is the only one of all of the various officers we had before us, or discussed, who actually stopped this man cold, denied him admission to the United States, and carried out the law

to its full extent. He was overruled. I would commend this man to his superiors in the Department as a good and faithful employee.

Mr. PORTER. Thank you.

The CHAIRMAN. Mr. Rankin?

Mr. RANKIN. No questions.

The CHAIRMAN. Mr. Wood?

Mr. WOOD. No questions.

The CHAIRMAN. Mr. Stripling, do you have any further questions of Mr. Porter?

Mr. STRIPLING. No, sir.

The CHAIRMAN. Thank you very much, Mr. Porter.

Mr. STRIPLING. Now, Mr. Savoretti, do the files reflect information concerning the hearing before the special board of inquiry, and, if so, I will ask you whether or not there are any questions asked dealing with the political affiliations of Hanns Eisler?

Mr. SAVORETTI. There are.

Mr. STRIPLING. Would you read them, please, to the committee.

Mr. SAVORETTI (reading) :

Q. What are your political beliefs?

A. My political belief is : I admire very much the United States, I hate Fascism in every form, and I hate Stalin in the same way as I hate Hitler.

Q. Are you in sympathy with the democratic form of Government in the United States?

A. Yes, sir ; 100 percent sympathetic.

Q. Have you ever belonged to any political party?

A. Never. My life is wholly devoted to music.

Q. Is it a fact that a number of your musical scores have been used as workers' choruses or made a portion of songs of the revolutionary movement?

A. Those songs were taken mostly out of plays for which I wrote the music in Germany. The words of these songs were written by German poets in plays mostly against Hitler and the whole German regime. These songs, of which I wrote only the melodies, became very famous in the war. Every country which wanted to adopt these songs wrote new words to them which have sometimes nothing to do with the original songs. I never knew this until I went out of Germany and then I was shocked sometimes by so much stupidity and chief political value to which these melodies were used. In this I am helpless. I should not be identified with songs which have been translated without my knowledge or agreement. Sometimes if you bring a song out of the play and play it separately it becomes a different meaning.

The CHAIRMAN. Excuse me, Mr. Savoretti.

The Chair wishes to announce that he just received an important message, and he has to leave. Mr. McDowell will act as chairman, and the committee will proceed.

Mr. SAVORETTI (continuing) :

Q. Do you admit that certain political movements have expropriated your melodies for their own purposes in social, democratic, and communistic organizations?

A. They are the same songs with different verses and titles, but I know nothing about it.

Q. Of these particular scores that have achieved fame as songs of the revolutionary movement, what type of plays were these scores written for?

A. Different types. Sometimes humoristic and sometimes tragic. The play by the name of the "Round Heads and the Pointed Heads" was against Hitler and his race theory. It was against Hitler's theory that a good race had a certain type of head, and it was a satire against race hatred. The Mother was made after a famous novel by Maxim Gorki. It showed the faith of a peasant worker woman in Russia and how she suffered and how she lived. It is a classic

novel of the Russian literature. The Expedient was a play with its theme in China and was some situation of the Chinese Revolution. It is an episode of the Chinese unification.

Q. Were the lyrics in those original plays of a revolutionary design?

A. In the play "The Mother, for example, naturally. In the play concerning the Chinese; no. In the play The Round Heads and the Pointed Heads, it was more humoristic and satire.

Q. Do you ordinarily collaborate with your lyric writers in preparing your scores?

A. Yes; when I lived in Germany and the lyrics were written in Germany. These were the only songs which I wrote of recognized merit.

Mr. STRIPLING. Pardon me.

Mr. Chairman, do you want to continue reading those questions and answers? I mean, dealing with music. I think we have gone into that far enough.

Mr. McDOWELL. If you want to include them in the record, you may. I don't see any point in reading them now. I would like to observe, however, that my examination of these songs that he wrote suggests that the great majority of them were written before Hitler came to power. Hitler was just another politician in Germany. President Von Hindenberg was the German chief of state. Which indicates again that he was lying.

Mr. STRIPLING. Mr. Savoretti, is there a question in there, "Do you believe in the form of Government as it exists in the United States?"

Mr. SAVORETTI. Following what I have just read:

Q. Are you acquainted with the principles of the Communistic Party?

A. No.

Q. Are you aware of the fact that that party advocates the overthrow of the Government of the United States by force?

A. Yes.

Q. Did you ever ascribe—

I think it is "subscribe"—

to that principle?

A. No.

Q. Have you ever been affiliated with the Communist Party in any manner?

A. No.

Mr. STRIPLING. I think that is sufficient for the record, Mr. McDowell, on this question of communism.

Mr. Savoretti, does it show there the decision of the board?

Mr. SAVORETTI. Yes. I will be glad to read that.

By Member ATHERTON. I move that the applicants be excluded as persons who are not nonquota immigrants as specified in the immigration visas.

By Member PARKER. I second the motion.

By The CHAIRMAN. It is made unanimous. This board is not inclined to recognize as valid the establishment of a section 4 (d) status by the male applicant based on instructions said to have been performed while he was in the United States as a visitor under section 3 (2) of the Immigration Act of 1924, nor does it believe that the law contemplates that the performance of the profession for 2 years preceding admission be accomplished in the United States.

The record then shows that the alien is advised of his exclusion and is asked whether or not he wishes to appeal to the Attorney General, to which the alien said "Yes."

Mr. STRIPLING. Do you have the record of the Appeal Board?

Mr. SAVORETTI. I do.

Mr. STRIPLING. Would you read that, please?

Mr. SAVORETTI. The memorandum is dated October 16, 1940:

In re Johannes Eisler and wife Louise Anna Eisler, nee Gosztonyi, before the Board of Immigration Appeals in exclusion proceedings.

Board: Messrs. Stewart, Finnane, and Charles.

In behalf of the appellants Attorney Peter F. Snyder, National Press Building, Washington, D. C.

Oral hearing was heard on October 6, 1940.

Excluded: Under the act of 1924, not nonquota immigration as specified in immigration visas.

Application: Admission as a nonquota immigrant under section 4 (d) of the Immigration Act of 1924.

Disposition: Appeal sustained and admission authorized.

Statement of the case: The applicants arrived at the port of Calexico, Calif., September 26, 1940, and applied for admission as nonquota immigrants under section 4 (d) act of 1924. The board of special inquiry found them inadmissible under section 13 (a) (3) act of 1924 and excluded them on the grounds above stated. From this action the aliens appealed.

Discussion: The appellants testify that they are, husband, 42 years of age, and wife, 44 years of age; that they are citizens of Germany without nationality; the husband presented a Czechoslovakian passport valid to March 10, 1941, in which his nationality is shown as "uncertain"; the wife presents a Czechoslovakian passport valid to February 26, 1942, in which it is stated that her nationality is "unknown"; they present nonquota immigration visas issued under section 4 (d) act of 1924 at the American consulate in Mexico, Mexico, on September 20, 1940, valid to January 19, 1941.

The husband testifies that he was a teacher in the Conservatory of Music of the city of Vienna from about 1924 to 1926; that he was appointed a professor in that conservatory and was the head of the department of music; that the conservatory was attended by advanced students.

He testifies that he was a member of the faculty of the Stern Scher Conservatory of Music in Berlin, Germany, from 1926 to 1933; he states that he left Germany in 1933 because of political scruples and made his temporary headquarters in Paris from February 1923 to February 1934; thereafter he states he spent some time in Denmark, after which he sojourned in London for a few months in 1934 and 1935; during the period from 1933 to 1935 he states that he was a guest professor at conservatories in Paris, London, and Antwerp for short periods.

He states that since October 1935 he has been under contract almost continuously as head of the department of music of the New School of Social Research located in New York City; he states that his present contract expires February 3, 1942; he states that the New School for Social Research is a university recognized by the State of New York; he testifies that the students are teachers or postgraduates and that the school confers only the degree of doctor of philosophy; he testifies that he meets classes and supervises the work of the subordinate professors and their assistants.

Counsel presents evidence that the Rockefeller Foundation on January 19, 1940, appropriated about \$20,000 to the New School for Social Research for research in music to be made by the applicant.

The appellant's claim as to his connection and contract with the New School for Social Research is supported by letters and other evidence which appears in the record and in the visas.

It is noted that the New School for Social Research of New York City has been approved for nonquota immigrant students defined in section 4 (e) act of 1924. This approval has no direct bearing on the issue in the present case but is indicative of the standing of the school.

Insofar as pertinent section 4 (d), act of 1924, as amended, accords nonquota status to "an immigrant who continuously for at least 2 years immediately preceding the time of his application for admission * * * has been and who seeks to enter * * * solely for the purpose of carrying on the vocation of * * * professor of a college * * * or university and his wife."

The language of the excluding motion of the Board of Special Inquiry in the case that that board was satisfied that the male applicant was a professor within the meaning of the above-quoted section but believed that he was not entitled to a nonquota status thereunder for the reason that he had been engaged as a professor in the United States during the past 2 years. We do not subscribe to

the view that the vocation of professor must have been followed in a foreign country during the past 2 years. To do so would read into the law a meaning not expressed therein. We find that the appellants very reasonably established that they possess the qualifications necessary to a nonquota status under section 4 (d). Therefore, they may not be regarded as subject to exclusion under section 13 (a) (3) act of 1924 on the ground that they are not nonquota immigrants as specified in their immigration visas.

Mr. STRIPLING. Mr. Savoretti, according to that decision of the Appeal Board, there is nothing there that deals with the political angle of that case?

Mr. SAVORETTI. That is correct.

Mr. STRIPLING. That is all the questions I have, Mr. Chairman.

I would like to submit to the committee that in view of the developments the committee should certainly bring Willis Meyer, the consulate of the State Department in Mexicali who issued the nonquota visa, in. He would have been subpoenaed, I am sure, by the committee if we had had before us the information that he was the person who issued it. But we did not have the Labor Department file which Mr. Savoretti has there. I would like for the committee to consider issuing a subpoena for some later date. I understand he is in Mexico now.

I am advised just now that he is in town.

The CHAIRMAN. He is in town?

Mr. STRIPLING. Yes.

The CHAIRMAN. May I say that the Chair is of the opinion that we should call Mr. Meyer, but rather than come to an immediate decision I would rather wait until our executive session this afternoon, at which time we will discuss it. But the Chair wants to say this, that even though Mr. Meyer permitted this man to come in, there is no question but what the State Department has been lax over a period of time in this matter. They let him come in at other times. He came in and went out, and came in and went out. So it won't affect the case any whether we have Mr. Meyer or not, but we will decide at our meeting this afternoon in executive session whether we will call Mr. Meyer. Personally I am in favor of it.

Mr. McDowell.

Mr. McDOWELL. I want to ask the chief investigator if Mr. Meyer is the person referred to in the statement issued by Norman M. Littell, counsel for Sumner Welles and George S. Messersmith, which was apparently prepared prior to Mr. Messersmith's testimony yesterday, in which he says, speaking of Eisler, "made a surprise run around left end and caught a sleepy consular officer in the small town of Mexicali off guard." Would that be the same man?

Mr. STRIPLING. That is the same man; yes.

The CHAIRMAN. Any questions of Mr. Savoretti?

Mr. Savoretti, thank you very much.

SEPTEMBER 26, 1947.

In re Eisler, Johannes and Luisa Anna, No. 56048/99.

HON. J. PARNELL THOMAS,

*Chairman, Committee on Un-American Activities,
United States House of Representatives,
Washington, D. C.*

DEAR MR. CHAIRMAN: Inasmuch as my name was read by Witness Savoretti in the course of his testimony before your committee today, noting therein that I had appeared as counsel on the occasion in October 1940, of the consideration by the Board of Immigration Appeals of the appeal of the above-named from an

excluding order entered by a board of special inquiry at Calexico, Calif., permit me respectfully to advise you as follows:

1. I have never knowingly represented a member of the Communist Party or an affiliate of that party. I have spoken publicly and privately in opposition to the principles of communism and have contributed to organizations actively opposing communistic doctrines.

2. In the case of the above-named I was retained October 3, 1940, by Leo Taub, Esq., then an attorney at 521 Fifth Avenue, New York, N. Y., being then informed that the aliens had been excluded at Calexico and that their appeal from the excluding decision was then en route from the border port to the Board of Immigration Appeals. Theretofore I had never heard of the aliens and my only information concerning their situation was that which was supplied by Attorney Taub and that which appeared in the testimony transcribed at the board of special inquiry hearing at Calexico. As Witness Savoretti read the text of this hearing, it contained the firm assertion of the alien that he was entirely sympathetic with the principles of the American Government and wholly opposed to the dictatorship of Stalin as well as the dictatorship of Hitler. Thus there was nothing in the official record to inform me that the alien had ever been sympathetic toward or affiliated with any communistic organization or group.

3. The only questions before the Board of Immigration Appeals had to do with the alien's eligibility to have or hold the section 4 (d) nonquota immigrant visa which was issued to him by the American consul at Mexicali, Mexico. Concerning this I wrote to my correspondent, Attorney Leo Taub, informing him that I had appeared before the Board of Immigration Appeals on October 7, 1940, and stating:

"The subject matter and argument were heard with patience by the board, which seemingly agreed with me concerning the two points at issue: (1) As to whether the New School for Social Research is properly qualified as a 'college, academy, seminary, or university,' and (2) whether the functioning as a professor within the United States is permissible under the text of the statute.

"* * * there is nothing in the law to forbid recognition of the alien's 2 years of professorship within the United States, particularly in view of the fact that he has been a professor for 16 years last past, has taught in important conservatories, and has been recognized by the Rockefeller Foundation with a grant of \$20,000 for research work."

4. As to what contact Attorney Taub had with these aliens prior to the time he engaged my services, I have no information. I only know that Attorney Taub represented numerous persons in the theatrical and musical fields, including such eminent artists as Joseph Szigetti, violinist, Bruno Walter, conductor, Ferenc Molnar, playwright, and Elizabeth Bergner, actress. Attorney Taub entered the Army of the United States as a private in 1942, was commissioned a second lieutenant in 1943, was promoted to captain, and lost his life in the European theater of operations in 1945.

I submit this statement for whatever usefulness it may have.

Respectfully yours,

PETER F. SNYDER.

We will stand adjourned to meet in executive session at 2 o'clock.
(Thereupon, the meeting was adjourned.)

APPENDIX

The following were introduced with testimony in the course of the hearings before the Committee on Un-American Activities, September 24, 25, and 26, 1947, as exhibits. These were placed in the record and are retained in the files of the Committee on Un-American Activities:

Exhibit

1. Daily Worker, January 15, 1935, article carrying headline, "Hanns Eisler Will Arrive Here Jan. 27."
2. The Worker Musician, The Workers Music Magazine, December 1932, Vol. I, No. 1; "Red Front," song with music by Hanns Eisler reprinted in entirety with musical score.
3. Daily Worker, February 18, 1935, article by Sergei Radamsky, with headline, "Noted Composer of Comintern Arrives for U. S. Concert Tour."
4. Daily Worker, February 23, 1935, article carrying photo of Hanns Eisler giving the Communist salute along with many others. Headline, "Chorus of 1,000 Hails Eisler."
5. Daily Worker, March 1, 1935, article by Joe Foster with headline, "Hanns Eisler Revolutionary Composer."
6. Daily Worker, October 7, 1935, article by Charles Hatchard; headline, "Music Unifies Workers Says Eisler Describing Experiences in Europe."
7. Daily Worker, October 2, 1935, article by L. E. Swift; headline, "The Return of Hanns Eisler."
8. Soviet Music, March-April 1933, No. 2, pp. 126, 127, article entitled, "For a Solid Front of All Proletariat and Revolutionary Musicians," by P. Weis (L. C. translation, Veis).
9. Soviet Music, January-February 1933, No. 1, p. 142, article entitled, "International Bureau of Revolutionary Music."
10. Pierre Degeyter Club, membership roll. Hanns Eisler's name and address at 147 Abbey Road, London, is included.
11. "The Heartiest Revolutionary Greetings and Wishes to the Pierre Degeyter Club," and with musical notes, "Leave the machines out, you proletarians," written signed and dated by Hanns Eisler in his own handwriting, 14 February 1935.
12. Statement by Kenneth Hunter that the Pierre Degeyter Club was predecessor of the American Music Alliance.
13. American Music Alliance, minutes of meeting, Monday, June 15, 1936, 9:00 p. m.
14. American Music Alliance, minutes of membership meeting, June 22, 1936, written on letterhead of the American Music Alliance, 114 West 54th Street, New York City.
15. Music Front, September, Vol. I, No. 3, publication of Pierre Degeyter Club of New York, 165 West 23rd Street.
16. "Down With Fascist Terror," Mass Song Series No. 1, Words by Earl Robinson, music by Julius Keil, published by Pierre Degeyter Club, 165 West 23d St., New York.
17. Pierre Degeyter Club, 128 E 16th St., New York City, mimeographed letter urging attendance at meetings.
18. Pierre Degeyter Club 128 E 16th St., New York City, notification of acceptance of membership application and subsequent membership in organization.
19. Pierre Degeyter Club, Receipt Book, showing acceptance of membership dues and monies for publications from various members.
20. International Collection of Revolutionary Songs, published by the Moscow State Musical Publishing Office, 1933, p. 24, "The Comintern March," by Hanns Eisler.

Exhibit

21. International Music Bureau, "International Collections of Revolutionary Songs," for mixed and male voices, edited by W. Ramm; entitled, "Workers of the World, Unite!" published in Moscow in four languages by the International Music Bureau, 1935.
22. Soviet Music, January 1934, No. 1, p. 112, article, "International Collection of Revolutionary Songs."
23. Red Song Book, prepared in collaboration with the Workers Music League, New York, Workers Library Publishers, 1932; cycle and hammer resting on a bar of music used as emblem on front cover; the Comintern, music by Hanns Eisler, printed on back cover, complete with musical accompaniment.
24. America Sings, book of songs published by Workers Book Shop, 50 East 13th St., New York, N. Y.
25. Soviet Music, May-June 1933, No. 3, pp. 173, 174, 175; article entitled "The Revolutionary Music Front," by G. Schneerson. (Photostat of the original in Russian together with English translation.)
26. The International Theater, No. 1, 1934, published by the International Union of the Revolutionary Theater in the U. S. S. R., the United States, England, and France, p. 62, article, "News of the International Music Bureau."
27. The International Theater, No. 2, Moscow, 1932, p. 11, article, "The Revolutionary Music Movement."
28. Sovetskoe Iskusstvo, Moscow, July 29, 1935, p. 2, photostat of original article and translation, "The Destruction of Art, Music in Fascist Germany," by Hanns Eisler.
29. Evening Moscow, June 27, 1935, interview with Hanns Eisler.
30. "In Praise of Learning," song by Hanns Eisler, Mutual score with the lyrics.
31. Soviet Music No. 10, October 1936, p. 6, article by Hanns Eisler, "Musicians Abroad on the Subject of Stalin's Constitution."
32. The Great Soviet Encyclopedia, Moscow, 1933, Vol. 63, columns 157 and 158, biographical sketch of Hanns Eisler accompanied by his picture (photostat of original and translation).
33. International Literature, No. 5, published by the State Publishing House, Moscow, 1933-34, pp. 113-118, article, "Hanns Eisler: Revolutionary Composer," by S. Tretyakov, a Soviet writer.
34. "Die Massnahme," opus 20, by Hanns Eisler, English translation. (Translation printed in entirety at end of Appendix.)
35. Rebel Song Book, published by the Rand School Press, New York, 1935.
36. Songs of the People, Workers Library Publishers, Inc., New York City, January 1937.
37. Workers Song Book, No. 2, published by Workers Music League (U. S. A. Section of International Music Bureau), New York, 1935.
38. Soviet Russia Today, May 1936, p. 33.
39. "Composing for the Films," by Hanns Eisler, Oxford University Press, New York, 1947.
40. "Ballad to Paragraph 218," song; music composed by Hanns Eisler, words written by Bert Brecht; copyright 1931 by Universal-Edition, printed in Austria.
41. "Address to the Crane 'Karl,'" song; music composed by Hanns Eisler, words written by Bert Brecht; copyright 1931 by Universal-Edition; printed in Austria.
42. "Ballad of the Maimed," song; music composed by Hanns Eisler, words written by David Weber; copyright 1931 by Universal-Edition; printed in Austria.
43. "Ballad of Nigger Jim," song; music composed by Hanns Eisler, words written by David Weber; copyright 1932 by Universal-Edition; printed in Austria.
44. "Song of the Dry Bread," song; music composed by Hanns Eisler, words written by Walter Mehring; copyright 1931 by Universal-Edition; printed in Austria.
45. "Song of Supply and Demand," song; music by Hanns Eisler, words by Bert Brecht; copyright 1932 by Universal-Edition; printed in Austria.
46. The Workers Chorus, a collection of proletarian choral music; "About Killing," song for mixed chorus; copyright application credits Hanns Eisler with both words and music; copyright 1931 by Universal-Edition; printed in Austria.

Exhibit

47. The Workers Chorus, a collection of proletarian music; "Peasant Revolt," and "Song of the Unemployed," songs for mixed voices; copyright application credits Hanns Eisler for music and contains no credit for the words; copyright 1929 by Universal-Edition; printed in Austria.
48. The Workers Chorus, a collection of proletarian choral music; "Prologue," "Song of the Defeated," "Contemplation of Nature," "Kurfuerstendam," songs for mixed voices; copyright application credits Hanns Eisler for music and contains credit for no one for the words; copyright 1929 by Universal Edition; printed in Austria.
49. The Workers Chorus, a collection of proletarian choral music; "Also Striking," and "In the Barracks," songs for mixed voices; music by Hanns Eisler, words by an anonymous writer; copyright 1930 by Universal-Edition; printed in Austria.
50. The Workers Chorus, a collection of proletarian choral music: "Street Song," music by Hanns Eisler, words by David Weber; copyright 1929 by Universal-Edition; printed in Austria.
51. The Workers Chorus, a collection of proletarian music; "Song of Joe Hill," and "Down With Scabs," made by Hanns Eisler, words of the latter by David Weber; copyright 1929 by Universal-Edition; printed in Austria.
52. Letter: Eleanor Roosevelt to Sumner Welles, dated at the White House, January 11, 1939 (photostatic copy).
53. Memorandum on Hanns Eisler submitted by Eleanor Roosevelt with her letter to Sumner Welles on January 11, 1939 (photostatic copy).
54. Letter: Sumner Welles to Eleanor Roosevelt, January 24, 1939 (photostatic copy).
55. Memorandum: F. W. [Fletcher Warren] to Mr. Messersmith, January 20, 1939 (photostatic copy).
56. Memorandum: George S. Messersmith to Sumner Welles, enclosing draft of letter to Eleanor Roosevelt for Mr. Welles' approval, January 24, 1939 (photostatic copy).
57. Memorandum: H. M. [H. Mossmyer] to Mr. Messersmith, January 20, 1939 (photostatic copy).
58. Memorandum: E. R. [Eleanor Roosevelt] to Sumner Welles, dated at the White House, February 7, 1939 (photostatic copy).
59. Letter: Sumner Welles to Eleanor Roosevelt, February 10, 1939 (photostatic copy).
60. Letter: Donald Stephens to Sumner Welles, on letterhead of National Arts Club, dated March 2, 1939 (photostatic copy).
61. Letter: Alvin Johnson, president of the New School for Social Research, to Hanns Eisler, May 2, 1935 (photostatic copy).
62. Form letter: Hanns Eisler Scholarship Fund Committee on letterhead of the New School for Social Research (photostatic copy).
63. Letter: Hanns Eisler to Dean Clara Mayer, New School for Social Research, New York, dated at Prague, Czechoslovakia, October 4, 1937 (photostat of original in German and typed original English translation).
64. Letter: Alvin Johnson, president of the New School for Social Research, to Mr. Coert du Bois, Esquire, American Consul General, Havana, Cuba, March 29, 1938 (photostatic copy).
65. Letter: Alvin Johnson, president of the New School for Social Research, to Hanns Eisler, March 29, 1938 (photostatic copy).
66. Pay and Attendance records, New School for Social Research, courses conducted by Hanns Eisler (photostatic copy).
67. Letter: Hanns Eisler to Alvin Johnson, director, New School for Social Research, June 21, 1938 (photostatic copy).
68. Letter: Alvin Johnston to James L. Houghteling, Commissioner of the Bureau of Immigration and Naturalization, Washington, D. C., June 22, 1938 (photostatic copy).
69. Letter: Raymond B. Fosdick, president, The Rockefeller Foundation, to the Honorable J. Parnell Thomas, June 4, 1947.
70. Excerpt from minutes of the Rockefeller Foundation, January 19, 1940, attested to by Norma S. Thompson, secretary, June 4, 1947.
71. The Rockefeller Foundation, Rockefeller Music Fund, expense records of grant to Hanns Eisler (photostatic copy).
72. Letter: Coert du Bois, American Consul General, Habana, Cuba, to the Secretary of State, Washington, D. C., May 16, 1938 (photostatic copy).
73. Letter: Department of State to the Department of Labor, May 16, 1938 (photostatic copy).

Exhibit

74. Letter: Edward J. Shaughnessy, Deputy Commissioner, Department of Labor, to the Secretary of State, Washington, D. C., May 31, 1938 (photostatic copy).
75. Letter: Department of State to American Consular Officer in Charge, Habana, Cuba, June 11, 1938 (photostatic copy).
76. Memorandum: For the Files, Department of State, Visa Division, October 19, 1938, signed R. C. A. [Robert C. Alexander] (photostatic copy).
77. Memorandum: Mr. Robert C. Alexander to Mr. Messersmith, October 24, 1938 (photostatic copy).
78. Résumé of the file of the Department of Labor in the case of Johannes Eisler, Confidential, dated October 24, 1938 and signed R. C. A. [Robert C. Alexander] (photostatic copy).
79. Letter: George S. Messersmith to Dorothy Thompson, Unofficial, Personal, and strictly confidential, October 27, 1938 (photostatic copy).
80. Memorandum: Coert du Bois to Secretary of State, December 3, 1938 (photostatic copy).
81. Letter: George S. Messersmith to Coert du Bois, December 23, 1938 (photostatic copy).
82. Letter: George S. Messersmith to Coert du Bois, January 24, 1939 (photostatic copy).
83. Letter: Breckinridge Long to Coert du Bois, April 30, 1940 (photostatic copy).
84. Letter: Dorothy Thompson to George S. Messersmith, November 8, 1938 (photostatic copy).
85. Letter: Robert C. Alexander to Mr. Warren, October 10, 1938 (photostatic copy).
86. Letter: George S. Messersmith to Donald Stephens, March 11, 1939 (photostatic copy).
87. Letter: Donald Stephens to George Messersmith, 15 March 1939 (photostatic copy).
88. Letter: Malcolm Cowley, editor, The New Republic, to George S. Messersmith, March 10, 1939 (photostatic copy).
89. Letter: George S. Messersmith to Malcolm Cowley, March 11, 1939 (photostatic copy).
90. Letter: Malcolm Cowley, editor, the New Republic, to George S. Messersmith, March 13, 1939 (photostatic copy).
91. Letter: George S. Messersmith to Malcolm Cowley, March 14, 1939 (photostatic copy).
92. Letter: Malcolm Cowley, editor, The New Republic, to George S. Messersmith, March 17, 1939 (photostatic copy).
93. Telegram: Freda Kirchwey, The Nation, to George S. Messersmith, March 10, 1939 (photostatic copy).
94. Letter: George S. Messersmith to Freda Kirchwey, March 11, 1939 (photostatic copy).
95. Letter: Freda Kirchwey, The Nation, to George S. Messersmith, March 15, 1939 (photostatic copy).
96. Letter: Russell Davenport to George S. Messersmith, March 16, 1939 (photostatic copy).
97. Letter: George S. Messersmith to Russell M. Davenport, March 18, 1939 (photostatic copy).
98. Letter: Raymond Gram Swing to Cordell Hull, March 28, 1939 (photostatic copy).
99. Letter: A. M. Warren to Raymond Gram Swing, April 5, 1939 (photostatic copy).
100. Letter: George Cukor to The President, March 25, 1939 (photostatic copy).
101. Letter: George Cukor to Cordell Hull, March 25, 1939 (photostatic copy).
102. Letter: A. M. Warren to George Cukor, April 5, 1939 (photostatic copy).
103. Letter: A. M. Warren to George Cukor, April 7, 1939 (photostatic copy).
104. Letter: Clifford Odets to the American Consul in Havana, Cuba, January 23, 1940 (photostatic copy).
105. Letter: William Dieterle to the American Consul, Havana, Cuba, January 28, 1940 (photostatic copy).
106. Letter: Oscar Wagner, dean, Juilliard Graduate School, to American Consul General, Havana, Cuba, January 30, 1940 (photostatic copy).

Exhibit

107. Letter: Allen Eaton, Department of Surveys, Russell Sage Foundation, 130 East 22nd Street, New York City, to Coert du Bois, American Consul General, Havana, Cuba, February 2, 1940 (photostatic copy).
108. Letter: Rudolf Kolisch, Kolisch Quartet, to American Consul, Havana, Cuba (photostatic copy).
109. Letter: Curt Riess, general secretary, German-American Writers Association, New York City, to American Consul, Havana, Cuba, January 29, 1940 (photostatic copy).
110. Letter: Joseph Losey to American Consul, Havana, Cuba, January 23, 1940 (photostatic copy).
111. Letter: Harold Churman, The Group Theater, to Whom It May Concern, January 25, 1940 (photostatic copy).
112. Letter: Allen Eaton, Department of Surveys, Russell Sage Foundation, 130 East 22nd Street, New York City, to A. M. Warren, July 18, 1939 (photostatic copy).
113. "America's Making," motion picture on democracy, brief description, June 8, 1939 (photostatic copy).
114. Letter: Hanns Eisler (on letterhead of Carol King, 100 Fifth Ave., New York City and left personally with Mr. Warren by Carol King) to Department of State, Washington, D. C., July 5, 1938 (photostatic copy).
115. Memorandum: George S. Messersmith to Mr. Warren, undated (photostatic copy).
116. Memorandum: A. M. Warren to George S. Messersmith, April 22, 1939 (photostatic copy).
117. Letter: Robert C. Alexander to Paul [Hutton], August 9, 1939 (photostatic copy).
118. Letter: P. C. Hutton to Robert C. Alexander, August 1, 1939 (photostatic copy).
119. Letter: R. Walton Moore to James B. Stewart, Esq., July 24, 1939 (photostatic copy).
120. Letter: P. C. Hutton to Robert C. Alexander, August 21, 1939 (photostatic copy).
121. Letter: Josephus Daniels to Julien Bryan, July 5, 1939 (photostatic copy).
122. Letter: James B. Stewart to the Secretary of State, September 8, 1939 (photostatic copy).

[Translation]

HANNS EISLER

DIE MASSNAHME
The Rule [or Doctrine]

Drill [libretto] by Bert Brecht

Piano score

[Published by] Universal-Edition No. 2744

Hanns Eisler

The Rule [or Doctrine]

Drill [libretto] by Bert Brecht

Op[us] No. 20

Piano score by Erwin Ratz

Performance right reserved

[Published by] Universal-Edition A. G.

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Printed in Austria

CONTENTS		Page
No. 1	Prelude (The four agitators, mixed chorus, orchestra)	3
I. The Teachings of the Classics		
No. 2a	Recitative (The young comrade, the three agitators, orchestra)	10
No. 2b	Praise of the USSR [Hail to USSR!] (mixed chorus with orchestra)	12
II. The Cover-up [Masking]		
No. 3a	Recitative (The director of the party headquarters, the two agitators, orchestra)	17
No. 3b	Declamation (mixed chorus with percussion [accompaniment])	22
No. 4	Praise of the illegal labor [Hail to illegal labor!] (mixed chorus with orchestra, later: The four agitators)	23
III. The Stone		
No. 5	Song of the rice boatmen (Two coolies, the young comrade, the overseer, male chorus with orchestra)	31
No. 6	Discourse (mixed chorus a cappella)	44
No. 6b	Declamation (Lenin quotation) (mixed chorus with percussion [accompaniment])	44
No. 6c	Canon of a Lenin quotation (mixed chorus with percussion [accompaniment])	45
IV. Justice		
No. 7a	Strike song (The young comrade, male chorus with orchestra)	46
No. 7b	Discussion	52
V. What Actually is a Man [Human Being]?		
No. 8a	Recitative (The trader [businessman], The young comrade, orchestra)	53
No. 8b	Song of the products (The trader [businessman], The young comrade, orchestra; later: mixed chorus)	59
No. 9	Change the world—it needs it! (mixed chorus with orchestra)	68
VI. The Treason		
No. 10	Praise of the Party [Hail to the Party!] (mixed chorus with orchestra)	75
VII. Utmost Persecution, and Analysis		
No. 11	Recitative (mixed chorus with percussion [accompaniment])	85
No. 12a	Recitative (The four agitators, orchestra)	87
No. 12b	We are the scum of the earth (mixed chorus with orchestra)	89
VIII. The Burial		
No. 13a and b	(mixed chorus a cappella)	93
No. 14	Finale (mixed chorus with orchestra)	95

LIST OF PERFORMERS

<i>The First Agitator</i> (to be performed by the same soloist: The director of the party headquarters; The first coolie, The trader [businessman])	Tenor
<i>The Second Agitator</i> (The second coolie)	} three actors
<i>The Third Agitator</i> (The overseer, the policeman)	
<i>The Fourth Agitator</i> (The young comrade)	
Male chorus; mixed chorus	

ORCHESTRA

Three trumpets
 Two horns
 Two bass horns
 Piano

Percussion instruments:
 Two pairs of timpanis
 Big drum
 Small drum
 Tenor (or field) drum
 Cymbals
 Tomtom

Duration of performance: one hour and thirty minutes.

Performance right reserved
Droits d'exécution réservés

THE RULE [or Doctrine]

Drill [libretto] by Bert Brecht

[music by]

Hauns Eisler, op[us] No. 20

[pp. 1-9]

Above measure 23: The controlling chorus. Then, from measure 24 on: "Come forth! Your labor was successful./ In this country too marches the Revolution,/ and formed are the lines of the fighters there also./ We are in accord with you."/

Above measure 65: The four agitators (calling out loudly): "Halt!/"

Measure 70: The four agitators: "We have something to tell [you]! We report the death of a comrade."/

From measure 73 on: "Who killed him?"/

Above measure 83: The four agitators: "We killed him. We shot him and threw him into [a] quicklime [pit]."/

From measure 86 on: "What is it that he has done that you had to shoot him?"/

Above measure 96: The four agitators: "Often he did the right thing, sometimes the wrong [thing], but finally he became a danger to the movement. He wanted [to do] the right [thing] and did the wrong [thing]. We demand your judgment."/

From measure 99 on: "Describe how it happened, and you will hear our judgment."/

Above measure 117: The four agitators: "We shall accept your judgment."/

[pp. 10-16]

I. The Teaching of the Classics

The four agitators: "We came from Moscow as agitators; we were to travel to the city of Mukden to spread propaganda and to create, in the factories, the Chinese Party. We were to report to [district] party headquarters (the one) closest to the border, and to requisition a guide. There, in the anteroom, a young comrade came toward us and spoke of the nature of our mission. We are repeating the conversation:"

(The line up; three on one side, and one on the opposite side; one of the four [agitators] represents the young comrade.)

The young comrade: "I am the secretary of the party headquarters which is the last toward the border. My heart is beating for the Revolution. The witnessing of wrong-doing drove me into the lines of the fighters [party members]. Man must help man. I am for freedom. I believe in mankind. And I am for the rules [doctrines] of the Communist Party which fights for the classless society against exploitation and ignorance."

The three agitators: "We come from Moscow."

The young comrade: "We have expected you."

The three agitators: "Why?"

The young comrade: "We do not get anywhere. There is disorder and need, little bread and much fighting. Many [people] are full of courage, but few can read. [There are] few machines, and no one understands [how to operate] them. Our locomotives are worn out [literally, "worn to pieces"—translator.]"

No. 2a Recitative

The young comrade: "Have you brought along locomotives?"

The three agitators: "No."

The young comrade: "Have you [any] tractors with you?"

The three agitators: "No."

The young comrade: "Our peasants even pull their own wooden plows. And then we have nothing to sow upon our fields. Have you brought along seed?"

The three agitators: "No."

The young comrade: "Are you at least bringing ammunition and machine guns?"

The three agitators: "No."

The young comrade: "The two of us have to defend the Revolution here. Surely you have a letter to us from the Central Committee which tells us what to do?"

The three agitators: "No."

The young comrade: "So you want to help us yourselves?"

The three agitators: "No."

The young comrade: "In our clothes we resist day and night the onslaught of hunger, ruin and counter-revolution. You, however, bring us nothing."

The three agitators: "So it is [you are right]: we bring you nothing. But across the border, to Mukden, we bring to the Chinese workers the teachings of the Classics and of the propagandists: the A B C of Communism; [we bring] to the ignorant the truth about their situation; [we bring] to the oppressed, class conscience; and [we bring] to the class-conscious, the experience[s] of the Revolution. From you we shall requisition an automobile and a guide."

The young comrade: "So I have asked badly?"

The three agitators: "No[! at all]; a good question was followed by a better answer. We [can] see that the utmost was demanded by you; but more will be demanded from you: one of you two [the two of you] must lead us to Mukden."

The young comrade: "I am leaving, therefore, my post, which was too difficult for two, for which, however, one [person] must be sufficient now. I shall go with you."

The young comrade: "Marching onward, spreading the teachings of the Communist Classics: the World Revolution."

No. 2b Praise of the USSR [Hail to USSR!]

(spirited)

Above measure 5: (continue spirited).

"The whole world has already discussed our misfortune; but still shared our meager meal the hope of all oppressed which contents itself with water, and Knowledge with a clear voice taught the guest behind our collapsing door."/

Above measure 27: (spirited). From measure 27 on: "When the door [is] collapsed, we can be seen from farther afield/ [we] whom frost will not kill nor hunger—untiringly discussing the fate of the world."/

The four agitators: "So the young comrade from the border station was in accord with us as to the nature of our mission, and we—four men and a woman—proceeded toward the director of the party headquarters."

II. The Cover-up [Masking]

[pp. 17-30]

The four agitators: "But the work in Mukden was illegal, hence we had to 'cover up our faces'; our young comrade agreed to this. We repeat the incident . . ."

(One of the agitators represents the director of the party headquarters.)

The director of the party headquarters: "I am the director of the last party headquarters [party headquarters next to border—translator]. I am giving my approval of having the comrade from my station go along with you as a guide. There is, however, unrest in the factories of Mukden, and these days the whole world is looking toward this city [waiting to see] whether or not one of us [our comrades] is coming out of the huts of the Chinese workers, and I hear [am told] that there are gun-boats in the rivers and armored trains on the rails ready to attack us the moment one of us is seen there. I am therefore recommending to the comrades to cross the border as Chinese. (To the agitators) You must not be seen."

The two agitators: "We shall not be seen."

The director of the party headquarters: "If one [of you] is wounded he must not be found."

The two agitators: "He will not be found."

No. 3a Recitative

Above measure 1: Energetic.

Above measure 3: The director of the party headquarters.

Above measure 5: (forceful, fresh).

From measure 5 on: "Are you ready to talk as long as you can [are able to] talk,/ but to disappear before anybody is looking,/ [and] also to hide the living and [as well as] the dead?"/

Above measure 17: The two agitators (spoken [not sung]). "Yes!"

Abbreviation before measure 19: The leader of the party headquarters.

Above measure 23: (in a loud tone of voice rhythmically).

Above measure 22 in piano accompaniment: hurrying—a tempo.

From measure 20 on: "Then you will not be yourselves any more;/ you [will be] no longer Karl Schmidt of Berlin./ you [will be] no longer Anna Kjersk of Kasan,/ and you [will be] no longer Peter Sawitsch of Moscow;/ rather, you [will] all [be] without name and [without] mother, blank pages upon which the Revolution writes its order[s]."/

Above measure 25 (again sung).

Abbreviation before measure 31: The director of the party headquarters.

Above measure 34: The two agitators (spoken [not sung]). "Yes!"

Above measure 37: (The director of the party headquarters hands them masks.) a tempo, somewhat slower.

Above measure 47: (The director of the party headquarters) (always very forceful and fresh).

From measure 47 on: "Then, from this hour on, you are no longer nobody;/ rather, from this hour on, and probably until your disappearance,/ [you will be] unknown workers, fighters, Chinese, born of Chinese mothers, yellow-skinned, speaking Chinese in [your] sleep and in [your] fever."/

Above measure 54: (spoken [not sung]).

Abbreviation before measure 58: The director of the party headquarters.

Above measure 59: The two agitators (they put on their masks).

Measure 60: "Yes!"

Above measure 70: The director of the party headquarters (calling out loudly): "In the interest of Communism,/ in sympathy with the marching on of the proletarian masses [the proletariat] of all countries,/ saying yes to [advocating] the revolutionizing of the world."/

Above measure 74: The two agitators. "Yes!"

[At the end] The two agitators: In this manner the young comrade showed his agreement with the cover-up [masking] of his face.

No 3b Declamation

Above measure 1: (speak very distinctly) footnote: The tempo of the chorus is about 152 metronome beats, with particular stress, however, upon distinct pronunciation [of the words].

Before measure 1: Chorus.

Before measure 1 of the accompaniment: Small drum.

Above measure 23: Broad.

At the end: The four agitators: "We went as Chinese to Mukden—four men and a woman—to spread propaganda and to create the Chinese party through the teachings of the Classics and of the propagandists—the A B C of Communism; to bring truth to the ignorant about their situation; [to teach] the oppressed class conscience, and the class-conscious the experience[s] of the Revolution."

No. 4 Praise of the Illegal Labor [Hail to Illegal labor!]

Above measure 1: Hard and dry.

Before measure 1: Tenor: chorus, bass.

From measure 2 on: "How beautiful [it is] to plead the cause of class struggle,/ to call our loudly and resoundingly [to urge] the masses to the fight,/ to annihilate the oppressors, to liberate the oppressed."/

Above measure 13: flowing.

From measure 13 on: "Hard and useful is the daily toil—the persistent and secretive knotting of the great net of the Party before the rifles of the employers."/

Above measure 16: (energetic).

Above measure 22: With full force.

Before measure 22: Soprano, Contralto, Tenor, Bass.

Soprano: "To talk! To conquer! To die!"

Contralto: ditto.

Tenor: ditto.

Bass: "To talk, but to secrete the talker. To conquer, but to secrete the Conqueror. To die, but to secrete the death."

Above measure 28: Somewhat hurrying.

From measure 28 on, Soprano and Contralto. "Who would not do much for fame?/ But who does it for silence?"/

From measure 29 on, Tenor and Bass: same words.

Above measure 34: In march tempo.

From measure 44 on: "But the needy eater invites honor to the table;/ out of the humble and tumbling down hut emerges inescapably greatness/, and fame asks in vain for the doers of the great deed."/

Above measure 63: (spoken [not sung])

From measure 64 on: "Emerge for a moment, [you] unknown [with your] masked faces and receive our thanks!"

[At the end] The four agitators: "In the city of Mukden, we spread propaganda among the workers. We had no bread for the hungry, only knowledge for the ignorant; therefore we spoke of the underlying reason of the need, did not abolish the need, but spoke of the abolishing of the underlying reason."

Footnote (NB. above measure 72:) This beät must be repeated until the four agitators have finished their speech.

III. The Stone

[pp. 31-45]

The four agitators: "At first we went to the lower city. There, coolies pulled a boat from the shore on a rope. But the earth was slippery. When one [of them] slipped and the overseer kicked him, we told the young comrade: Follow them and spread propaganda among them. Tell them that in Tientsin you have seen boatmen with shoes provided with boards under the soles so that they could not slip. Try to manage that they too will demand such shoes. Don't, however, fall prey to pity! And we asked: Are you agreed, and he was agreed and hurried there and fell prey to pity. We are demonstrating:"

(Two of the agitators represent coolies, in that they tie a rope to a pole and pull the rope over their shoulders. One represents the young comrade, the other, the overseer.)

The overseer: "I am the overseer. The rice must be in the city of Mukden before nightfall."

The two coolies: "We are the coolies and drag the rice-boat up the river."

No. 5 Song of the Rice Boatmen

Above measure 4: The first coolie:

From measure 5 on: "In the city up the stream there is for us a mouthful of rice,/ but the boat is heavy which must go upstream, and the water flows downstream; we shall never get up there."/

Before measure 15: Tenor, male chorus, Bass.

From measure 18 on: "Pull faster, the mouths are waiting to be fed./ Pull evenly, do not push the man next to you!"

[Between staves, above measure 36]

The young comrade: "Ugly it is to listen to the beauty with which the men cloak the anguish of their work."

The overseer: "Pull faster!"

Above measure 38: The first coolie: "Night is falling soon: the mattress, too small for a dog's shadow, costs half a mouthful of rice./ Because the shore is too slippery, we cannot make any headway."/

Above measure 55: (but faster).

Before measure 55: Tenor, male chorus, Bass.

From measure 56 on: "Pull faster, the mouths are waiting to be fed./ Pull evenly, do not push the man next to you!"

Above measure 73: The second coolie: (slipping) "I am stuck."

The first coolie: (while the coolies are just standing and are being whipped until the one who fell is on his feet again) "Longer than we hold the rope which cuts into the shoulder; the whip of the overseer has seen four generations, we are not the last one."/

Footnote to measure 81: If the first basses do not have the high F-major, which actually is to be executed in a yelling fashion, all basses will sing only the voice of the second basses.

From measure 82 on: "Pull faster, the mouths are waiting to be fed, to be fed./ Pull evenly, do not push the man next to you! Ohay, Ohay!"/

The young comrade: "Difficult it is to view these men without pity. (to the overseer) Don't you see that the earth is too slippery?"

The overseer: "What is the earth?"

The young comrade: "Too slippery!"

The overseer: "What? Do you claim that the boat shore is too slippery to pull a boatload of rice?"

The young comrade: "Yes!"

The overseer: "So you believe that the city of Mukden does not need any rice?"

The young comrade: "When (the) people fall down they cannot pull the boat."

The overseer: "Shall I [do you want me to] put down a stone for everyone, from here to the city of Mukden?"

The young comrade: "I don't know what you should do, but I know what they should [do]. (To the coolies) Don't believe that anything that has not worked for two thousand years is never going to work. In Tientsin I have seen shoes on the [feet of the] boatmen that have boards under the soles so that they could not slip. This they have accomplished through unanimous demand. Therefore, also demand such shoes unanimously."

The coolies: "Really, we cannot pull this boat without such shoes any longer."

The overseer: "But the rice must be in the city tonight."

(He whips, they pull)

Above measure 92: The first coolie: "Our fathers pulled the boat from the mouth of the river upstream away, our children will reach the spring, we are in between."/

Bass from measure 100 on: "Pull faster, the mouths are waiting to be fed, to be fed. Pull evenly, do not push the man next to you, man next to you."/

Measures 102 and 103, 106 and 107, Tenor: "Ohay! Ohay!"/

The second coolie: "Help me!"

The young comrade: "Aren't you a man [human being]? Here, I am taking a stone and putting it into the mud (to the coolie) and now step [on it]!"

The overseer: "Right. What can shoes in Tientsin do for us here? I'd rather let your pitying comrade run alongside you with a stone to put it down for anyone who slips."

Above measure 110: The first coolie: Then: "There is rice in the boat./ The peasant who harvested it got a handful of coins; we get still less; an ox would be dearer./ We are too dear."/

Above measure 125: (One of the coolies slips, the young comrade puts down the stone for him, and the coolie gets up on his feet again.)

Above measure 126: (very fast).

Tenor and Bass from measure 126 on: "Pull faster, the mouths are waiting to be fed./ Pull evenly, do not push the man next to you!"

Above measure 146: The first coolie: "When the rice arrives in the city and the children ask/ who has pulled the heavy boat, the answer will be: it has been pulled."/

Above measure 156: (One of the coolies slips, the young comrade put down the stone for him, and the coolie get up on his feet again.)

Tenor, from measure 159 on: "Ohay! Hay! Ohay! Hay! Ohay! Hay! Ohay! Hay!"

Bass, from measure 157 on: "Pull faster, the mouths are waiting to be fed, to be fed./ Pull evenly, do not push the man next to you, man next to you!"

Above measure 166: (yelling).

From measure 166 on: "The food from below comes to the eaters above. [They] who pulled it/ have not eaten./ Ohay! Hay!"/

(One of the coolies slips, the young comrade puts the stone down for him, the coolie gets up on his feet again.)

The young comrade: "I can do no more. You must demand other shoes."

The coolie: "This [He] is a fool to be laughed at."

The overseer: "No, he is one of those who agitate among the people [against] us. Halloh, grab him!"

The four agitators: And presently he was seized. And he was hunted for two days and met [up with] us, and we were chased with him through the city of Mukden for a week and could not let ourselves be seen in the lower [part of the] city.

The leader of the controlling chorus: Discussion! But it is not right to support the weak/, wherever he may be, to assist him, [to support and assist] the exploited, in his daily toil/ and oppression!/"

The four agitators: He has not helped him, but he has prevented us from spreading propaganda in our section of the city./

No. 6a

Before measure 1: Soprano, Contralto.

Before measure 1: Chorus: We are in accord.

Before measure 1: Tenor, Bass.

Above measure 1: (spoken [not sung]).

The four agitators: The young comrade admitted that he had separated feeling from sense. But we consoled him and quoted to him the [following] words of Comrade Lenin:

No. 6b Lenin Quotation (Declamation [spoken chorus])

Before measure 1: Soprano, Contralto, chorus, Tenor, Bass.

"It is not he who makes no mistakes who is clever, but he who knows how to correct them quickly."/

No. 6c Canon of a Lenin Quotation

Before measure 1: Soprano, Contralto, chorus, Tenor, Bass.

Abbreviation before measure 1: Small drum.

Above measure 1: Fresh, forceful.

"It is not he who makes no mistakes who is clever, but he who knows how to correct them quickly!"

Above measure 15: (without ritardano).

IV. Justice

[pp. 46-52]

The four agitators: We founded the first cells in the factories and trained the first functionaries, established a party school and taught them the secret manufacturing of forbidden literature. But then we worked in the textile plants, and when the wages were cut down, a part of the workers went on strike. Since, however, the other part continued working the strike was endangered. We told the young comrade: Stand at the door of the factory and distribute pamphlets. We repeat the conversation [below].

The three agitators: You have failed with the rice boatmen.

The young comrade: Yes.

The three agitators: Have you learned something [from this experience]?

The young comrade: Yes.

The three agitators: Will you fare better with the strike?

The young comrade: Yes.

(Two of the agitators represent textile workers and the third, a policeman.)

The two textile workers: We are workers in the textile factory.

The policeman: I am a policeman and gain my [daily] bread through the men in power in order to fight dissatisfaction.

No. 7a Strike Song

Above measure 1: Energetic march tempo.

Before measure 7: Tenor, male chorus, bass.

From measure 10 on: "Emerge Comrade!/ Risk the penny which is a penny no more,/ the bedstead upon which it rains,/ and the place of work which you will lose tomorrow!/ Out [with you] on the street!/ Fight! It is too late for waiting!/ Help yourself in that you help us!/ Practice solidarity!/ [Repeat as refrain.]

Above measure 46: The young comrade: Give away what you have [own], comrade: you have nothing!

Before measure 47: Tenor, Bass.

From measure 47 on: "Emerge, Comrade,/ confront the rifles and insist upon your wages! When you know that you have nothing to lose,/ their policemen do not have enough rifles!/"

After measure 64: (Here follows the refrain from X to the end, measure 45.)

The two textile workers: We go home after hours, our wages are cut; we do not know, however, what to do and continue working.

The young comrade: (puts leaflet into the pocket of one of the textile workers, while the other looks idly on) Read it and pass it on. After you have read it you will know what you must do.

The first [textile worker]: (takes it and walks on)

The policeman: (takes the pamphlet away from the first [textile worker]) who gave you the pamphlet?

The first [textile worker]: I don't know, somebody gave it to me in passing by.

The policeman: (approaches the second [textile worker]) You gave him the pamphlet. We policemen are looking for such [persons] who distribute those pamphlets.

The second [textile worker]: I did not give a pamphlet to anybody.

The young comrade: Is it a crime, after all, to bring knowledge to the ignorant about their situation?

The policeman: (to the second [textile worker]) Your teachings have terrible consequences. When you teach in such a factory, then it does not know its owner any longer. [it belongs no longer to its owner]. This little pamphlet is more dangerous than ten canons.

The young comrade: What's in it [what is the content]?

The policeman: That I don't know. (To the second [textile worker]) What's in it [what is the content]?

The second [textile worker]: I don't know about the pamphlet; I did not distribute it.

The young comrade: I know that he didn't do it.

The policeman: (to the young comrade) Did you give him the pamphlet?

The young comrade: No.

The policeman: (to the second [textile worker]) Then you gave it to him.

The young comrade: (to the first [textile worker]) What will happen to him?

The first [textile worker]: He may be shot.

The young comrade: Why do you want to shoot him, policeman? Aren't you also a proletarian?

The policeman: (to the second [textile worker]) Come along. (hitting his head)

The young comrade: ([tries to] prevent him) He didn't do it.

The policeman: Then it was you after all.

The second [textile worker]: He didn't do it.

The policeman: Then it must have been both of you.

The first [textile worker]: Run, man, run, your pocket is full of pamphlets!

The policeman: (beats the second [textile worker] down)

The young comrade: (Points at the policeman. To the first [textile worker]) Now he beat down an innocent man; you are a witness.

The first [textile worker]: (attacks the policeman) You bought dog [you dirty dog]!

(The policeman draws his revolver. The young comrade grabs the policeman by the neck from behind; the first coolie slowly bends his arm back. The gun goes off; the policeman is being disarmed.)

The young comrade: (yells) Help, comrades! Help! Innocent men are being killed here!

The second coolie: (Rising [from the ground], to the first [coolie]) Now we have beaten down a policeman and cannot get into the factory tomorrow morning, and (to the young comrade) it is your fault.

The young comrade: If you go to work [to the plant] you betray your comrades.

The second coolie: I have a wife and three children, and when you left and went on strike, our wages were upped. Here, I had double wages! (He shows the money).

The young comrade: (strikes the money out of the coolie's hand) Shame on you, you bought (dirty) dogs!

(The first coolie grabs him by the throat while the second picks up his money. The young comrade strikes the attacker down with the blackjack of the policeman.)

The second coolie: (yells) Help! There are agitators here!

The four agitators: And immediately the workers emerged from the plant and drove the pickets away.

Discussion

The controlling chorus: What could the young comrade have done?

The four agitators: He might have told the coolies that they could have defended themselves against the police [effectively] only if all the workers in the plant had managed to fight the police in solidarity. Then the policeman would have been in the wrong.

No. 7b

Before measure 1: The controlling chorus.

Above measure 1: (spoken [not sung]): "We are in accord!"

V. What actually is a man [human being]?

The four agitators: Every day we struggled with the old unions, (organizations) [with] the hopelessness and [with] the oppression; we taught the workers to change the fight for better wages into the fight for power. [We] taught them the use of weapons and the art of street-fighting. Then we heard [were told] that the businessmen had a tariff quarrel with the British who ruled the city. In order to exploit the quarrel among the ruling in favor of the ruled, we sent the young comrade with a letter to the richest businessman [in town]. In this letter was written: Arm the coolies! To the young comrade we said: Behave in such a way that you will obtain the weapons. But when the food came on the table he was not silent. We are demonstrating the incident [below]:

(One of the agitators represents the businessman)

The trader [businessman]: I am the trader [businessman]. I am expecting a letter from the coolie union concerning an unanimous action against the British.

The young comrade: Here is the letter from the coolie union.

The trader [businessman]: I am inviting you to eat with me.

The young comrade: It is an honor for me to be permitted to eat with you.

The trader [businessman]: While the food is being prepared I shall give you my opinion of the coolies. Please sit down here.

The young comrade: I am much interested in your opinion.

No. 8a Recitative

Above measure 1: Free is to rhythm (average tempo ca. 76 metronome beats)

Above measure 10: The trader [businessman]:

From measure 11 on: "Why do I get everything cheaper than the others/ and why does a coolie work for me for practically nothing?/"

Above measure 14: (unhurried)

Above measure 20: (spoken [not sung]).

Above measure 22: The young comrade:

Measures 22 and 23: "I don't know."

From measure 24 on: (The trader [businessman]): "Because I am a clever man./ You are also clever people because you know how to get the wages from the coolies."/

Above measure 32: The young comrade:

From measure 23 on: "We know how."/

Above measure 34: The young comrade: "By the way, are you going to arm the coolies against the British?"

Above measure 35: The trader [businessman]:

From measure 35 on: "Maybe, maybe . . . I know how to treat a coolie."

Above measure 34 in accompaniment: Free as to rhythm (according to the speaker).

Abbreviation before measure 38: The trader [businessman].

From measure 39 on: You must give a coolie only rice enough to keep him alive/ else he cannot work for you. Is that right?"

Above measure 47: The young comrade:

From measure 48 on: "Yes, that's right."

Above measure 40 (unhurried).

Abbreviation before measure 50: The trader [businessman]. "But I say: No!/ No!/ No!"

Abbreviation before measure 54: the trader [businessman].

Above measure 55: Tempo as in the same place [?].

From measure 55 on: Then, if the coolies are cheaper than the rice,/ I can take [employ or hire] a new coolie./ Is that better [literally: more correct]?"

Above measure 63: Free as to rhythm (according to the speakers).

Above measure 63, second staff: The young comrade:

From measure 63 on: "Yes, that is better [literally: more correct]."

Above measure 66: The young comrade: When, by the way, will you send the first [batch of] arms into the lower city?

The trader [businessman]: Soon, soon

Above measure 68: Tempo as in the same place [?]

From measure 68 on: "You should see how the coolies who load my leather eat my rice./ What do you think, do I pay much for the work?"

Abbreviation before measure 70: The trader [businessman].

Above measure 74: Free (according to the speaker). Above that: The young comrade: No, but your rice is dear/ and the work must be good,/ but your rice is poor.

Above measure 78: The trader [businessman]:

Measures 78 and 79: You are clever [sly] people!

Above measure 79: (They are smiling at each other)

Above measure 80: The young comrade: Are you going to arm the coolies against the British?

Above measure 81: The trader [businessman]: After the meal we can [let us] view the arsenal.

From measure 83 on: "I [shall] now sing my favorite song to you."/

No. 8b Song of the Products

Above measure 1: Compact.

Above measure 2: The trader [businessman]: "There is rice downstream/ people in the upper provinces need rice/ If we leave the rice in the warehouses,/ the rice will be dearer [more expensive] for them./ Those who pull the rice-boats/ will then get less rice./ Then the rice for me will become still cheaper./

Above measure 38: The young comrade: What actually is rice?

Above measure 39: Refrain somewhat more quiet.

Abbreviation before measure 39: The trader [businessman].

From measure 39 on: "How do I know what rice is?/ I know who knows that! / I don't know what rice is,/ I only know its price./

Above measure 68: The trader [businessman]: From then on: "Winter is coming, the coolies need clothing,/ cotton must be bought and cotton must be held back./ When the cold arrives,/ clothing becomes more expensive./ The cotton mills pay too high wages./ There is actually too much cotton."/

Above measure 104: The young comrade: What actually is cotton?

Above measure 105: Again somewhat more quiet.

Abbreviation before measure 105: The trader [businessman].

From then on: "How do I know what cotton is,/ how do I know who knows that?/ I don't know what cotton is,/ I only know its price!"

From measure 135 on: "Such a man [human being] needs too much grub./ This makes the man dearer [more expensive]./ To provide the grub men are needed. The cooks make it cheaper, but the eaters make it dearer [more expensive]./ There are actually too few people."/

Above measure 158: The young comrade: What actually is a man [human being]?

Abbreviation before measure 159: The trader [businessman]. From then on: "How do I know what a man [human being] is,/ how do I know who knows that?/ I don't know what a man [human being] is,/ I only know his price."/

Before measure 173: Soprano, Contralto, chorus, Tenor, Bass. From then on: "He does not know what a man [human being] is,/ he only knows his price."/

The trader [businessman]: (to the young comrade) And now we shall [let us] eat my good rice.

The young comrade: (gets up) I cannot eat with you.

The four agitators: This is what he said, and laughter and threat were of no avail in trying to force him to eat with him whom he loathed, and the trader [businessman] threw him out, and the coolies got no weapons.

Discussion

The controlling chorus: But isn't it right to put honor above everything else?
 The four agitators: No.

No. 9 Change the world—it needs it!

Before measure 1: Soprano, Contralto, Chorus, Tenor, Bass.

From measure 2 on: "With whom wouldn't the one who is right get together in order to help the law?/ What medicine would taste too bitter for the dying [man]? What infamy haven't you committed in order to extirpate infamy?/ If you could finally change the world,/ what would you be too good for?/ Drown in the mud [literally; smut], embrace the butcher, but change the world, it needs it!/ Who are you?/"

Above measure 49: (spoken [not sung]).

Before measure 49: Soprano, Contralto, Tenor, Bass.

From measure 49 on: "For a long time we have listened to you not only as judges but also as students."

The four agitators: Hardly [had he arrived] at the stairs, the young comrade recognized his mistake and suggested that we send him back across the border. We clearly saw his weakness, but we still needed him, for he had a large following in the youth organizations and helped us much in those days to knot the nets of the party before the rifles of the employers.

VI. The Treason

The four agitators: During this [particular] week the persecutions increased extraordinarily. We had but a secreted room for the printing press and the pamphlets. But one [beautiful] morning strong unrest, caused by hunger, broke out in the city, and also from the country there came news concerning strong unrest. On the evening of the third day, arriving at our haven after being exposed to danger, the door was opened by our young comrade. There were sacks in front of the house in the rain. We repeat [below] the conservation.

The three agitators: What kind of sacks are those?

The young comrade: They are our propaganda pamphlets.

The three agitators: What are you going to do with them?

The young comrade: I have to tell you something: the new leaders of the unemployed arrived here today and convinced me that we have to start action right away. We also want to distribute the propaganda pamphlets and to storm the barracks.

The three agitators: Then you showed them the wrong way. But tell us your reasons and try to convince us!

The young comrade: The need is becoming greater and the unrest is increasing in the city.

The three agitators: The ignorant are beginning to understand their position.

The young comrade: The unemployed have accepted our teachings.

The three agitators: The oppressed are becoming class-conscious.

The young comrade: They are going out into the street and want to demolish the [cotton] mills.

The three agitators: They are lacking the experience[s] of the Revolution. This makes our responsibility so much greater.

The young comrade: The unemployed can wait no longer and I/ can wait no longer either./ There are too many needs./

The three agitators: But there are too few fighters.

The young comrade: Their sufferings are frightful.

The three agitators: Suffering [alone] is not sufficient.

The young comrade: There are inside the house seven [persons] who have come to us at the order of the unemployed. Behind them there are seven thousand, and they know: misfortune does not grow on your chest like leprosy; poverty does not fall from the rooftops like shingles; but misfortune and poverty are man-made; want is being cooked for them, but their wallings is their food. They know everything.

The three agitators: Do you know many regiments [troops] the government has at its disposal?

The young comrade: No.

The three agitators: Then you know too little. Where are your weapons?

The young comrade: (he shows his hands) We shall fight with tooth and nail.

The three agitators: That is not sufficient. You only see the misery of the unemployed, but not the misery of the employed. You only see the city, but not the farmers. You see the soldiers only as oppressors, but not as oppressed miserables in uniform. Go, therefore, to the unemployed, recall your advice to storm the barracks, and convince them that they must participate tonight in the demonstration of the factory-workers; and we shall try to convince the dissatisfied soldiers that they should likewise demonstrate with us, in uniform.

The young comrade: I have reminded the unemployed of the many times the soldiers have shot at them. Shall I tell them now that they should demonstrate jointly with murderers?

The three agitators: Yes, for the soldiers can recognize that they were wrong to shoot at the wretched of their own class [estate]. Remember the classical advice of Comrade Lenin not to view all farmers as class enemies but to win over the village poor as co-fighters.

The young comrade: Now I ask: Is it the intention of the classics [literally: do the classics tolerate] to let misery wait?

The three agitators; They speak of methods which recognize misery in its entirety.

The young comrade: Hence the classics do not advocate equal, immediate, and primary assistance to each and every miserable?

The three agitators: No.

The young comrade: Then the classics are dirt, and I am tearing them up; for man, the living man, is roaring, and his misery breaks [tears] all the dams of their teachings. Therefore I am now taking action, now and immediately, for I am roaring and I am breaking the dams of their teachings.

(He tears up the pamphlets.)

The three agitators:

Do not tear them up! We need them/

Every one of them. Face reality!/
 ...

Your Revolution is started quickly and lasts for a day/

And tomorrow will be throttled.

But our Revolution will start tomorrow./

Will conquer and change the world./

Your revolution ends when you end [with you]./

When you have come to an end/

Our Revolution will continue [live on].

The young comrade: Listen to what I [have to] say: I [can] see with **my** two eyes that misery cannot wait. Therefore I oppose your resolution to wait.

The three agitators: You have not convinced us. Go, therefore, to the unemployed and convince them that they must fall into the lines of the Revolution. This is what we demand of you now in the name of the Party.

The young comrade:

Who, though, is the Party?/

Is it sitting in a house with telephones?/

Are its thoughts secret, its resolutions unknown?/

Who is it?/

The three agitators:

We are it./

You and I and all of you—all of us./

In your suit it is, comrade; in your head it thinks/:

Wherever I live there is its home; and wherever you are attacked, there it fights./

Show us the road which we shall choose, and we/

Shall choose it as you do, but/

Do not choose the right road without us./

Without us it is/

The wrongest [road].

Do not separate from us!/
Do not separate from us!

That the short road is better than the long [road], nobody will deny./
 But if somebody knows it/ And he is unable to show us, what good is his
 knowledge?/
 Be wise [with us]!/
 Do not separate from us!/
 The young comrade: Because I am right, I cannot give in. With my two
 eyes I [can] see that misery cannot wait.

No. 10 Praise of the Party [Hail to the Party]

Before measure 1: Soprano, Contralto, First Tenor, Chorus, Second Tenor, Bass.
 Above measure 1: Forceful.

From measure 3 on: (Soprano part): The individual has two,/ the party has
 a thousand eyes./ The party sees [can see] seven states./ The party has
 many hours./ The party cannot be destroyed,/ for it fights with the methods
 of the classics which are drawn [created] from the knowledge of reality, and
 are destined to be changed/, in that the teachings spread through the masses./
 Who, however, is the party?/ Is it sitting in a house with telephones?/ Are
 its thoughts secret,/ its resolutions unknown?/ Who is it?/ It is [all of] us!
 [We are the party!]/ You and I and all of you, — all of us!/
 In your suit it is, comrade,/ and in your head it thinks,/ wherever I live there is its home,/ wherever
 you are attacked, there it fights./

Above measure 48: (spoken [not sung]).

Above measure 53: (again sung)

First Tenor part: The individual has two eyes./ The individual sees [can see]
 a city./ The individual has his hour./ The individual can be destroyed./
 (continue same as Soprano part: for it fights with the methods, etc.)

The young comrade: All this is valid no longer; in view of the struggle I over-
 throw everything which was valid yesterday; dissolve all agreements with
 everybody; and am doing the only human [thing]. Here is a [plan for] action.
 I am going to be the leader. My heart is beating for the Revolution. Here it is!

The three agitators: Silence!

The young comrade: Here is oppression. I am for freedom!

The three agitators: Silence! You are betraying us!

The young comrade: I cannot be still, because I am right.

The three agitators: Whether you are right or wrong—if you talk we are lost!
 Silence!

The young comrade:

I saw too much./

Therefore I step before them./

As the one I am [as myself], and tell the truth./

(He removes his mask and yells)

We have come to help you/

We come from Moscow./

(He tears up his mask)

The four agitators:

And we looked toward him and in the twilight/

We saw his bare face./

Human, open, and guileless. He had/

Torn the mask.

And from the houses/

Came the yelling of the exploited: Who/

Is disturbing the sleep/ of the poor?/

And a window opened and a voice yelled:/

There are strangers here! Chase the agitators!/
 So they recognized us!/
 And it was then that we heard that there was unrest/
 In the lower city, and the ignorant waited in the/
 Assembly-Halls, and the unarmed [waited] in the streets./
 He, however, did not stop roaring./
 And we beat him down/
 Picked him up, and left the city in a hurry./

*VII. Utmost Persecution, and Analysis**No. 11 Recitative.*

Before measure No. 1: Soprano, Contralto, Chorus, Tenor, Bass, Small drum

Above measure 1: Temperamental, somewhat hurrying.

From measure 2 on: They left the city! Unrest is growing in the city, but the leadership flees across the city limits./ Your rule!/
 Above measure 5: (spoken [not sung])

Above measure 12: (again sung).

The four agitators: Just wait! Easy it is to know the right [thing]/ Far ahead of the end/ If one has time—if you know months ahead./ But we had ten minutes' time and/ [Had to] think in front of the rifles!/
 When during our flight we came into the neighborhood of the quicklime pits outside of the city, we saw our persecutors behind us. Our young comrade opened his eyes, heard what had happened, realized what he had done, and said: We are lost.

In the times of utmost persecution, confusion of theory./ weighing asset [s] and possibility [liabilities]/ the fighters analyze their position./
 Above measure 29: The four agitators: We repeat the analysis.

No. 12a Recitative

Above measure 1: March tempo.

Below measure 3 in accompaniment: (very short)

Above measure 4: First agitator: (spoken in exact rhythm). We must get him across the border, we said./

Measure 9: Second agitator: But the masses are in the streets./

Above measure 13: Third agitator: And we must bring them to the assemblies./

Above measure 17: First agitator: Hence we cannot get our comrade across the border./

Above measure 22: Third agitator: If we, however, hide him and he is found, what happens if he is recognized?/
 Above measure 30: The first agitator: There are gun-boats ready in the rivers, and there are armored trains on the trails, to attack us if one of us is seen there. He must not be seen./

No. 12b We are the Scum of the Earth

Above measure 1: Strong march tempo (heavily stressed).

Before measure 1: Tenor, Chorus, Bass. From measure 1 on: If we are seen entering the hut[s] of the exploited./ the canons of all exploiters will go off/ against the huts/ and against our country./ For, when the hungry repels in pain the tormentor/, we have paid him for his pain and repelling. On our foreheads it is written that we are against exploitation./ in our handbill it is written:/ these [men] are for the oppressed! Those who help the desperate are the scum of the earth/. We are the scum of the earth./ We must not be found./

Above measure 11: (shrill)

Above measure 26: (shrill)

Above measure 40: take your time

Above measure 43: Only somewhat broader than at the beginning of the march.

VIII. The Burial

[pp. 93-100]

The four agitators: We have resolved:/ Then he must disappear, and, as a matter of fact [disappear] entirely. For we cannot take him along, and we cannot leave him here/ Therefore we must shoot him and throw him into the quicklime [pit] For the quicklime will burn him./

No. 13a

Before measure 1: Soprano, Contralto, Chorus, Tenor, Bass: Was there no other way out? The four agitators: Due to the shortness of time we found no other way out./ As animal helps animal./ We too wished to help him who/ Fought with us for our [common] cause./ Five minutes, facing the persecutors./ We pondered a/ Better possibility/. You too are now pondering/ A better possibility./

(pause)

Thus we have resolved: Now/ [let us] sever the foot from our body. *Terrible it is to kill.* However, it is ourselves we shall kill, not only others, when necessary./ Since only force/ Can change this killing world, as/ Every living [person] knows./ However, we said./ As yet the time has not come for us not to kill. Only with the/ Unyielding will to change the world we founded The Rule [Doctrine].

No. 13b

Before measure 1: Soprano, Contralto, Chorus, Tenor, Bass.

Above measure 1: (without expression)

From measure 1 on: "Spread [the tidings], you are assured of our sympathy,/ not easy was it to do what was right [to do the right thing]. It was not you who passed judgment on him/ but reality."

The four agitators: We [let us] repeat our last conversation.

The first agitator: We want to [let us] ask him whether he gives his consent, for he was a brave fighter. (It is true that the face which emerged from the mask was different from the face we had covered with the mask, as will the face which will be eaten by the quicklime be different from the face which at one time greeted us at the border.)

The second agitator: Even if he does not give his consent, he must disappear, and, as a matter of fact [he must disappear] entirely.

The first agitator: (to the young comrade) If you are caught, you will be shot; and since you were recognized, our work is betrayed. Therefore we must shoot you and throw you into [a] quicklime [pit], to be eaten by quicklime. However we ask you: Do you know any other way out?

The young comrade: No.

The three agitators: So we ask you: Do you give your consent?

(pause)

The young comrade: Yes.

The three agitators: Where shall we put you?

The young comrade: Into [the] quicklime [pit].

The three agitators: Will you do it by yourself?

The young comrade: Help me!

The three agitators: Lean your head on our arm/ [and] Close your eyes!

The young comrade: (while he cannot be seen) In the interest of Communism/, In accord with the on march of the proletarian masses/ of all countries/ Saying "Yes" to the revolutionizing of the world./

The three agitators: Then we shot him and/ Threw him into [the] quicklime [pit], And when the quicklime had eaten him/ We returned to our work.

No. 14 Finale [Final Chorus]

Above measure 1: broad, weighty quarter-notes.

Before measure 7: Soprano, Contralto, Chorus, Tenor, Bass.

From measure 11 on: And your work was happy [successful]/, and you have spread the teachings of the Classics, the A B C of Communism: [You have brought to] the ignorant knowledge of their situation, to the oppressed class consciousness and the experience[s] of the Revolution./ And the Revolution marches there too./ And there too the lines of the fighters are orderly./ We are in accord with you./ But also, your report shows us/ how much is needed to change the world; ire and tenacity; knowledge and uprising; quick action; deep thinking; cold suffering; endless waiting; understanding of the individual and understanding of the whole [masses?]/ Only taught by reality can we change reality./

Above measure 17: Do not hurry!

Above measure 55: With greatest force.

Before measure 62: Soprano, Contralto, Tenor, Bass, Small Drum (abbreviated).

Above measure 62: (spoken [not sung]).

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(Translated by Elizabeth Hanunian, September 18, 1947.)

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